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FRANCESCO VITO

Some problems connected with the Economic, Social and Cultural Transformation of the New African States

1. The year 1960 will go down in the history of international relations as the 'African year'. During this year the widespread awakening of the peoples of Africa has reached its climax and found the old colonial powers, Great Britain, France and Belgium, fully prepared to recognize their autonomy or their independence.

The Portuguese territories of Angola and Mozambique are the only ones for which no revision of status has been planned this year, as has been done in the international conferences or 'round tables' which have been held in Brussels for the Congo, in London for Kenya and Sierra Leone, and in Paris for the Mali Republic and Madagascar. This year also Somaliland has acquired its independence.

An important historical development is taking place before our eyes ! During the period from March 7, 1957 to October 1, 1960 — the dates on which Ghana and Nigeria respectively achieved their independence — over 75 million Africans, a third of the continent's population, have been freed from colonial status. One can gain an idea of the immensity of the African continent — six times larger than Europe — by taking a map of Africa and laying on it the maps of Europe, the United States, India and China. That it has been possible to carry out so profound a political change without the intervention of armed forces of liberation, without colonial wars, and without the parent states having to acknowledge a defeat, is surely a fact worth thinking over.

The revolt of the Mau-Mau, which was moreover an episode limited to one single tribe in Kenya, the tribe of the Kikuyu, was a manifestation of tension due to the brusque economic and social transformation, rather than to an urge for independence or political revolution.

In reality the men who are today at the head of these autonomous or independent states, whether they are called Nkrumah or Sekou Touré, Ahadan Ahidjo or Sylvanus Olympio, Philibert Tsirinanana, or Tafawa Balewa, have been invested with power by their colonial regimes themselves, and often well in advance of the transition to independence ([1]).

The present article has certainly no intention of describing the situation in Africa as ideal, nor does it intend to paint a rosy picture of the future relations between the mother countries and their former colonies. Its object is simply to put forward a plea against losing a sense of proportion in face of the extremely tragic and distressing events which have been occurring in the Congo after its achievement of independence.

We must undoubtedly not under-estimate the sad effects and grave psychological prejudices underlying the wave of xenophobia, but it would, without any doubt, be an unpardonable levity not to take account of the obvious communist infiltration. We must also realise that beyond the immediate difficulties, beside the solution of the critical phase — a solution which seems to be taking shape as a result of the intervention of the United Nations and the general reaction of world opinion — there will always remain the benefit of the experience gained from these events.

But in spite of everything, we must not exaggerate the Congo affair in assessing the general situation in black Africa. It is evident indeed that a large part of the tragedy in the Congo is to be explained by accidental circumstances, notably by the granting of independence too hastily, considering the degree of political maturity of the native governing classes. As for Belgium's responsibility, opinions differ. Some say that the paucity or total lack of assistance by the mother country in preparing

([1]) Blanchet, *Les Nationalismes africains*, in *Preuves*, 1960.

the colony culturally, socially and politically for autonomy and independence was not without premeditation: *no leaders, no troubles*: 'the less men there are capable of self-government, the less disturbance there will be'. Such is said to have been the motto of the colonial power.

Other people, recalling the objective facts of the social and economic progress which had been achieved by Belgium, tend rather to underline the hastiness with which independence was granted in comparison with the procedure in French and British territories. It is of little importance which one of these opinions is true, or whether all contain an element of truth; but one cannot deny that these distressing events could have been avoided by greater foresight or better adaptation.

2. This having been said, it is imperative to point out that in fact the future of black Africa constitutes a problem far more grave and far more beset with unknown factors than appears to the man, who, under the influence of the episode in the Congo reduces the whole matter to the choice of a more propitious moment and to the manner of carrying out the process of decolonisation. If it could all be reduced to this, one might possibly believe that relations between the African peoples and the other powers, such as France and Great Britain, to whom is justly attributed the merit of judiciously conducting 'operation independence', had reached a happy solution. But everyone realises that this is not so. The second congress of the African peoples denounced neocolonialism, that is, economic colonialism, economic imperialism, as 'enemy no. 1' of the young independent states. According to this accusation the political independence granted from above is turned like a weapon in the hands of imperialism to defend its economic privileges in a new fashion.

We shall not pause here to refute the inanity of this assertion. A moment's reflection is sufficient to realise that with arguments like these the African agitators, whether consciously or not, are adopting the Marx-Leninist theme, the theme which previously had served so well to belittle the sense of independence in India. None of this will stand up to examination. As is well known, Marx asserts that the progressive poverty and pro-

letarianisation of the worker are the inevitable consequence of the private ownership of the means of production, such as dominates the economic systems of the western countries. But in face of the substantial progress in standards of life, in face of the remarkably strong position of trades unions and, in political spheres, the growing influence which is already enjoyed by the workers of great industrial countries (the United States of America, Great Britain, Germany, France, etc.), in face of all these irrefutable facts, which are a flat contradiction of the theories of Marx, the latter's supporters try nevertheless to bolster them up by attacking colonialism and imperialism. They take up again the thesis defended by Lenin in the well-known work, *Imperialism: The Last Stage of Capitalism.* If, so the theory goes, the progress brought about by an industrial economy extends to the worker to the point of procuring a definite improvement for the proletariat, this is due to the new classes which are brought in to prop up capitalist exploitation, namely, workers of the colonised countries.

How then can the Marx-Leninist doctrine be saved in face of this widespread movement of independence, in face of the abolition of various forms of dependence on the parent states — events which have been happening constantly since the end of the Second World War ? In answer to this, they rejuvenate the old doctrine of the exploitation of man by man, by means of a variant called neo-colonialism or neo-imperialism. As soon as the bond of political dependence is severed, new forms of subjection are established on the economic plane; and this is economic colonialism or neo-colonialism.

But the weakness of the foundations on which this modernisation of the old communist thesis is built, will be obvious to anyone who reflects on the constant rise in the worker's standard of life; and this phenomenon is occurring frequently in countries which never had colonies or empire. One need call to mind only such countries as Switzerland or even Italy, whose brief colonial experiment and imperialist adventure proved to be anything but a source of riches. As for ex-colonies, it is evident that full state sovereignty leaves them free to enter into economic relations with countries having any kind of polit-

ical system; and in fact the Afro-Asian countries are making great use of this liberty. When they decide to maintain commercial and financial relations with the ex-colonial powers, this is, without any doubt, due to the advantages which they draw from it.

Colonisation of any sort cuts both ways. Colonialism arises from the historical difference in the pace of evolution of different peoples, and tends to maintain them at the same level. But in its very success, colonisation lays down the premises for its liquidation. Doubtless we should leave out of account the powers who, long before the institution of sound colonial administration, let themselves be guided more by their own sordid egotism than by humanitarian or paternalistic aims or by rational motives of any sort. Of course it is possible to make comparisons between the various colonial policies, praising some and belittling others. The polemic between colonialism and anticolonialism is nowadays tending to die down owing to the gradual but progressive appearance of an impartial evaluation, which, while recognising the effective political contribution made by the parent states to the material and cultural progress of the colonies, does not hesitate nevertheless to point out and denounce the deficiencies, deviations and abuses.

3. But this already belongs to the past. What is of particular importance today is not so much the judgment to be passed on colonialism or on the pace of decolonisation, but rather to discover the types of political structure best adapted to achieve and to strengthen international solidarity. We have in fact entered a period which has been called the planetisation of the world ([2]), in which the bonds uniting all mankind are beginning to take concrete form, owing to the wonderful transformation in means of communication and to the new orientation of ideas. This urge has become particularly pressing in recent years on account of the widespread awakening of international public opinion to the flagrant inequalities in living conditions that exist in the world.

This feeling of uneasiness has been further accentuated by

([2]) LECLERQ, *Le Chrétien devant la planétarisation du monde*, 1958.

the realisation that this inequality, far from disappearing in the course of time, will go on increasing unless a wise, systematic and decisive operation of world-wide scope is set on foot, at least to restrain, if not to arrest its disquieting pace.

Everyone knows the essential data of the problem ([3]). No less than two-thirds of mankind are living in the conditions of a backward economy. The average annual income in these regions amounts to less than 150 dollars; nutrition does not attain 2,000 calories; the proportion of illiteracy is extremely high; the utilisation of mechanical power is excessively small; medical, hygienic and sanitary assistance is most rare... etc. Africa belongs to this vast area of backward economy. According to the index of all the means of livelihood — the average of available resources — we find these significant figures: the total annual income per head in Africa is slightly over 65 dollars, while in Europe it is about 900 dollars, and in North America 2000 dollars. These figures, as we said, are a clear indication of the primitive and rudimentary standards of social and cultural life in Africa.

The colonial problem as such, when compared with this disconcerting reality and with the immense task which it is the responsability of our generation to undertake, loses a great deal of its importance.

The means that must be employed and the methods that must be adopted far outstrip anything that could be obtained through the most generous colonial policies or by the most rapid decolonisation.

We are told that France is spending one thousand million francs per day on its overseas territories. But how immensely far short this falls of what is required in order to raise the living standards of the many millions of Africans who dwell in these territories ! And above all, what a great danger there is of psychological opposition, if not of resentment, in pursuing this course in an age when the colonial peoples aspire to be the sole arbiters of their own destiny !

([3]) *Il problema dello sviluppo economico con particolare riguardo alle aree arretrate, Vita et Pensiero,* 1956 (Catholic University of Milan).

On the other hand, even the gaining of independence does not constitute an infallible guarantee of economic, social and cultural progress. In this connexion, we may mention certain countries of Latin America. One example springs to mind spontaneously, evoked by the events which are, at the present moment, attracting the attention of the world's political leaders, namely Cuba.

Sixty years of independence have doubtless favoured the growth of certain centres of prosperity and riches, and the advancement of certain classes of society. But the rest of the population, and especially the rural population, is scarcely any better off economically, socially or culturally than it was in the age of Spanish domination.

Do we mean to say therefore that the attainment of independence is of little importance for the progress of a country ! Or that it is of no consequence whether independence is achieved rapidly or otherwise ? Or that the financial contribution of the mother country to the economic and social development of the colonies is not praiseworthy ? No, we do not mean anything like this. There is another concept which must be emphasised: the new climate of ideas and relationships between different peoples demands new methods and new objectives. The dilemma which confronts us today is not that of continued colonisation or decolonisation, or that of slow or rapid decolonisation. What is of primary importance is the question: what comes after decolonisation ? Likewise, there is a second question. Before colonies are granted independence, prudence dictates a gradual preparation of the colonies for self-government; but what methods are to be employed in this preparation ? And the answer is co-operation.

4. When the new nations acquire their longed-for independence, programs of international co-operation must be put in hand, and in this enterprise these nations themselves must take part on an equal footing with the representatives of the more advanced countries. Furthermore, where a people has not reached a sufficient degree of political maturity to manage its own government, programs of international co-operation must be put into action, in agreement of course with the colonial power,

but at the same time with the active participation of the colonized people. In other words, it is not a matter of carrying out decolonisation as rapidly as possible and at any price, but rather of ensuring that the phase of colonisation is followed by the phase of co-operation; and in cases where the time is not yet ripe for decolonisation, one must graft the methods of co-operation on to the colonial structure.

It is within this framework that the problems of the economic, social and cultural transformation of the new African states will find their rightful solution. And while the beneficiaries will find in it no offence or humiliation or belittlement, those who are co-operating in ensuring their well-being will be conscious of contributing to the advancement of a backward portion of humanity. Any other formula which does not rest on the principle of human solidarity, is destined to collapse sooner or later in impotence.

Undoubtedly, there is much to interest and attract Europeans in this appeal to them to display an active presence on African soil, in order to prevent these peoples from falling a prey to an ideology that is materialistic and destructive of western values. But on reflexion the efficaciousness of this appeal has its limits. We cannot indeed exclude the possibility that behind the facade of defending western values against false ideologies, even behind that ideal disinterestedness which urges men to want to hold out a helping hand to the needy, there may be also the desire not to fall behind in the competition for expansion among States. It is not at all certain that these good desires of bringing aid to the peoples who are waiting for it, would continue in action when the menace of propaganda for contrary ideologies disappears.

The intellectual conviction urging the social conscience of every man to recognise the necessity of co-operation with those peoples who require assistance in their civil and human progress, is a force of altogether different power ([4]). And would

([4]) This point has been developed at greater length in my essay entitled, *Il compito delle Università Cattoliche per l'attuazione della giustizia nel mondo*, in *Vita e Pensiero*, 1960.

not the man who approaches the African peoples in the name of human fraternity — that fraternity which is already evident in natural law, and is given further value and dignity by the divine Redeemer — would not such a man receive the full confidence of the African peoples ? The fact that such co-operation could be welcomed even by those living outside the Christian faith, provides without any doubt the most effective argument to overcome the prejudices and the opposition to penetration by Catholic missionaries into African lands.

5. To raise the standards of life of peoples who are economically backward, international co-operation requires first of all an exact knowledge of their customs and human qualities. At one time it was thought that the first requirement was to give them capital and material resources in general in order to stimulate economic development; but later the great complexity of the problem had forcibly to be recognised. One cannot obtain a positive and lasting result without the effective participation of the country itself in the march of progress. Consequently, it is essential to raise its cultural level and its professional education, and to procure an improvement in physical conditions in line with the increase in the productivity of work, etc. Furthermore, the application of western industrial techniques must be preceded by the transition from a subsistence economy to one of exchange, from barter to a monetary system: then there must come the establishment of combined undertakings, large-scale production, Industrial Relations, town-planning, etc. All this cannot be done without giving rise to more or less profound alterations in the traditional customs of family life and religious beliefs.

These abrupt changes in the psychological and social equilibrium, and the tension which results, can gravely compromise the outcome of the economic transformation which is intended to improve the way of life of these peoples. In order to be able to forestall these disastrous consequences, it is indispensable to have the most accurate knowledge of the family, social, cultural and religious background of each people in particular.

Economics, sociology and ethnology are required in the first place in order to collect this body of facts and knowledge which

will ensure the effectiveness of international co-operation. Such researches are being widely undertaken in the various territories of black Africa ([5]), especially following the growth of the university institutions, which have been set up in the past fifteen years: the University of Dakar, inaugurated in 1949 as an institute of higher studies, and raised to the rank of a university in 1957; the university centre of the Ivory Coast, organised in 1958 in Abidjan; the University of Liberia, instituted in 1951 at Monrovia; the University College of Sierra Leone at Fourah Bay, established in 1945; the University College of Ghana opened in 1948; that of Ibadan for Nigeria and the British Cameroons, inaugurated in 1948; that of Makerere in Uganda, begun in 1949; the Catholic University Lovanium, founded in Léopoldville in 1954; the University College of Pius XII in Basutoland in 1955; that of Addis Ababa, which goes back to 1950; the University Institute of Asmara, which provides three-year courses in the faculties of education, philosophy and literature, and economics and commerce; lastly that of Somaliland, whose faculty of law and economics was established in 1954, and whose faculty of education will begin work next autumn. Also the opening of an Institute of higher studies has been planned for this year at Tananarive in Madagascar.

It is evident that these institutions are of university standard but not yet fully comparable with European universities.

These institutions confer only the lower degrees and not doctorates. In addition, the teaching body and the administrators belong for the most part to the universities of the various interested countries: Great Britain, France, Belgium, Italy. It is important to notice that social studies are everywhere specially catered for.

6. To speak the truth, many fields remain still to be explored about which we know too little to be competent to un-

([5]) Among the most recent researches, we must mention especially that of the Institute of Sociology of the University of Liège, carried out in the Congo and directed by Professor René Clemens, the first findings of which are contained in the volume, *Développement Communautaire et Service Social en Afrique*, Liège, 1960. See also, LEURQUIN, *Le niveau de vie des populations du Ruanda-Urundi*, Louvain, 1960 (The Lovanium University of Léopoldville).

derstand completely the problems of black Africa. Take for example the concept of the State. Frequently, using our own ideas and categories, we speak of African nationalism when we wish to describe African aspirations for independence. We take it for granted that in Africa also the State is a Nation-State, and we identify the Nation-State with the politico-administrative areas formed by the colonial powers.

In fact, if we say that the unity of a nation is constituted by its ethnic homogenity or at least affinity, we must at once note that the political boundaires of the various African territories which are free, or in process of becoming so, are in great part arbitrary. In reality, they are the outcome simply of wars, conquests and agreements drawn up in peace treaties and international conferences, and are not spontaneous growths formed by a common language, history, traditions, aspirations or ethnic characteristics. The populations of black Africa constitute a typically polyethnic society. This plurality of ethnic groups within the boundaries of one and the same territory is a fact rich in consequences for the structure of social, economic and political relationships in these territories. We might say that tribalism, that is to say, the exaggerated, almost fanatical attachment to the individual tribe, is an obstacle to the consolidation of the new States of the black continent.

In accordance with our European ideas, this statement is perhaps true. But the reality which it describes must be examined more closely. While certain different ethnic groups have been gathered together in one administrative unit, and while on the other hand one single ethnic group has been split between different administrative units, it is manifest that centrifugal forces will be at work in certain cases, and centripetal forces at work in others. Thus, for example, in the Congo we are told of dissensions and rivalries between the Baluba, Bakongo, etc.; we hear also of the formation of political parties for the most part according to tribes, and of existence of separatist currents or at least of tendencies to form a simple confederation in opposition to a unitary State.

It is possible that these hostilities between tribes may be more violent in the Congo than elsewhere, and that they have been

a major cause of the present crisis in this young State. But even apart from this, we cannot neglect the problems involved in polyethnicism.

In fact they have arisen in the conferences at Accra, Conacry, Tunis and Addis Ababa. Not only centrifugal movements have come to light, but also centripetal leanings towards the formation of federations between territories. The formation has just been announced of a federation between the territories of Nigeria, Chad and the Central African Republic, as soon as they attain independence. Here also ethnic ties are at work.

Recently again there has been the unification of the former British Somaliland and the former Italian Somaliland. It is a prelude to the setting up of Greater Somalia, which is destined to take in the people of French Somaliland, the northern regions of Kenya and the province of Ogaden, which at present belong to Ethiopia.

The same problem, which has remained latent so long as a foreign power which is not bound to one or other of the local tribes, has maintained its domination, will inevitably arise as other territories attain independence. Of a different nature, yet still connected with this polyethnic characteristic of African society, is the project put forward by Guinea and Ghana for a United States of Western Africa; similary there is a plan for an African Union between Togoland, the Cameroons and the two Somalilands; lastly, there is a project for a United States of all independent African territories. As regards the latter, the precise boundaries are not known.

7. The foregoing observations, despite their brevity, show sufficiently the great complexity of the problems connected with the structure of the State in black Africa. If one considers besides that in the newly-formed political units the function of the state has a specially wide field particularly from the economic point of view, and that it consequently requires an unshakable solidity, one can gain an idea of the great responsibility which will fall on the ethnic group which will have a function in the government of the state. The firmer the solidity of the new state, the more fruitful will be international co-operation. However, we must not forget that to contribute to the

formation of states with a firm and solid structure is precisely one of the attributes of international co-operation. Already on behalf of the backward and under-developed economies, a series of activities is being undertaken, some by international organisations and especially by the United Nations and certain of its specialised agencies, others by rich countries like the United States of America, Great Britain, etc.; these activities usually go under the name of technical assistance.

Experts in agriculture, industry, public administration, education, hygiene, health, etc. are sent to help the local elements on the spot to put the development programs into effect. Efforts are being made to give these activities greater precision, to multiply them, and to put them specially at the service of the progress of ex-colonial territories. It is preferable to speak of co-operation rather than of assistance, for the latter word pointlessly evokes a difference in competence and culture, over and above that of material riches, between the helper and the helped. This concept of co-operation emphasises happily two essential aspects: the assisted party participates and works in concert with the helper for the achievement of the same ends; moreover, as the guiding motive is solidarity between peoples, the helper and the helped find themselves on the same footing of equality.

Another aspect of co-operation is that it must not be limited to technical aid alone. The West must take care not to pour out exclusively material benefits over the world. It must simultaneously make itself the bearer of human values, by which alone technical development will be able to contribute in an enduring manner to civil progress.

This is the reason why it would be better to speak of technical and cultural co-operation, or more simply, international co-operation.

In the third place, and this is the most important point, international co-operation must serve to provide the most efficacious, the most worthy and the most appropriate form for the abolition of colonisation in black Africa. The formula which will henceforth have to be applied in order to bring about solidarity between peoples, and to efface the offensive memories of colonialism, can be summed up thus: co-operation grafted on

colonisation, where this still exists, and co-operation going hand in hand with decolonisation.

Such an attitude of mind will serve also to eliminate the distressing ignorance, confusion and misunderstandings which still divide the western countries on the subject of the colonial problem. The murky atmosphere often surrounding this subject might be lightened if the programs of independence for the colonies were not always presented as an imperative need for protection by one bloc against another, but rather as a chivalrous contest undertaken in the name of human brotherhood and universal solidarity.

Tentative signs of such a conception are beginning to manifest themselves in Europe. Thus, for instance, the territories under French, Belgian and Italian administration have been brought into association with the European Economic Community, and this gives them the benefits of the investments in the Development Fund (360,000 million dollars during the period from 1958 to 1962), and reductions in customs duties on African goods at a time when European goods remain subject to the local protective tariffs.

Another initiative, inspired by the same idea, is the one taken by the Parliamentary Assembly of Europe, which in 1957 organised a group of studies with the aim of finding ways of raising the living conditions of the African peoples, and of speeding up the economic and social development of these territories... etc., through co-operation on a basis of equality between African countries and the countries belonging to the Council of Europe.

8. These new moves are in the right direction. But they are still sporadic, hesitant and not sufficiently assured. What they lack is clearness of motive. The ideological conflict, the existence of blocs and the danger of war are obviously legitimate preoccupations, but they are not decisive.

It is important for the motive to have a spiritual basis such as will not disappear when, as we may hope, the ideological clashes, the tensions between the two blocs, and the skirmishings of the cold war are over. The motivation can have its basis

only in universal brotherhood, in the common destiny of all humanity.

Not everyone is ready, it must be admitted, to accept such language. But it is the language of salvation. If it is true that mankind is today going through a crisis of civilisation, one cannot evade the imperious demands of the eternal principles which have for too long been trampled under foot. Now is the time for the great decisions which will nourish our great hopes. If the problems which beset us are threatening to crush us beneath their weight, we have no other alternative but to arm ourselves with an extra supply of courage.

In the renovation of ideas and resolutions lies the function of thinkers and especially of the new generations. An appeal to overseas students and to the young people who welcome them in the various countries of Europe leaps spontaneously to the lips. It is for them to promote the new orientation of minds, attuned to the age of human brotherhood realised to the full. By their side march the generous-hearted teams of lay missionaries vowed to translate into acts man's response to the divine appeal: «Ut unum sint».

Along the roads thus levelled and lighted by the united work of energetic youth, dedicated to life and thought, to study and action, the legions of Christ's missionaries, the pioneers of the Church's secular progress, will close their ranks and with the inspiration of traditional heroism and the serenity of renunciation, will advance unceasingly to the total gift of sacrifice.

(Translated by John Joyce S.J.)

JOSEPH FOLLIET

A Dissection of Pacifism

Pacifism — what a word ! For some a slogan, for others a red rag to taunt a bull with. It is an acid term, provoking a variety of reactions: a great deal of passion, sundry myths, little reason and less detachment.

The difficulties begin when the critical spirit enters the arena. First, there is the little question of precise definition: what exactly IS pacifism ? It is even less easy to find an answer here than to other analogous questions. For instance, what is patriotism ? or nationalism ? or socialism ?

Etymologically, pacifism means the love of peace and the desire for peace. In that case, we all deserve the title of pacifist, that is, all but a few individuals — hardened old warriors, neuropathically inclined intellectuals — crazy enough to like war, lucid enough to admit it to themselves, and brave enough to admit it to others.

Words ending in *ism* and *ist* are rightly suspect: they are pretty sure to be a cloak for dogmatic assertions or at least for doctrinal intentions. The two words, pacific and pacifist, do not necessarly concur. Let us say so at once, then we can declare *pacifism* to be a dogmatic concept in view of peace. However, no sooner do we come to this conclusion than we are faced with new questions.

What peace is in view ? That monosyllabic word so charged with emotional overtones, with such a ring when used in slogans — *Bread, Peace, Freedom* — is apt to be applied to a widely diverging range of facts and aspirations. Is it possible to stand for peace among nations while preaching social warfare — or contrariwise ? Is peace to be taken as a purely sociological mat-

ter, only remotely concerning individuals as such ? Is it purely structural and institutional, or is it also an inward verity, spiritual as well as psychological — personal in the full sense ?

And what are we to make of the doctrinal tendencies ? A brief scrutiny of 'existential' pacifism soon reveals within the one fairly large main current a great variety of sub-currents in all directions, sometimes even hostile ones. We may yield to the Manichaean temptation and see humanity as divided into two camps, 'pacifists' and 'warmongers' ! We immediately observe that the former are almost as quarrelsome as the latter. Some would allow the term 'pacifist' to apply only to upholders of, what used to be called, integral (or absolute) pacifism; I think it was Bartholomew Light who used it of those who reject *a priori* all armed conflict for whatever cause. But the confining of the word to this one meaning could not fail to arouse protests from other schools of thought, from those who, without going to such extremes, still call themselves pacifists and are accepted as such by public opinion. At international congresses, how many times have we not had to listen to debates between 'integral pacifists' and the milder ones, between partisans of 'non-violence' and upholders of an eventual recourse to arms as an instrument of international law, without a solution ever being reached ?...

And now we come to the problem of ends and means. All varieties of pacifism propose peace as their end — the highest end human endeavour can envisage: so much is evident. But what is the nature of this end ? Is it a supreme and absolute one, or does it remain relative, however exalted ? And what is the proportionate value of means to ends ? How are means to be adapted to ends ? May physical force be invoked, armed force in the service of peace ? May we, should we, prefer a peace imposed by unjust violence — for instance an imperialistic power — to war for freedom ? Between 1940 and 1944 we witnessed how pacifists, near-professional ones, rallied to the *pax nasica* with no evidence of conscience pangs. They had an abundance of reason with which to jutify themselves — in theory, if not in fact.

Can we perhaps throw light on the subject by analysing the

opposites of pacifism ? But what are its opposites ? Certainly patriotism is not one of them, for lots of pacifists would not hesitate to declare themselves patriots, better patriots than the chauvinists. Then there is the question of *federalism*: only a small minority among integral pacifists want the immediate disappearance of the old-established home countries in favour of what Victor Margueritte called the *patrie humaine,* meaning humanity itself. But this is humanitarianism rather than pacifism proper. Perhaps nationalism is the opposite of pacifism ? In practice it very often is, but as a concept it is not necessarily opposed to it, nor is it always in actual fact: witness Ghandi and his work in India, or Henri Bourrassa in French Canada. Strictly, the opposite of pacifism would be war-mongering. But the only people who preach war are certain intellectuals tinged with Nietzschean doctrines, pan-Germanists, or men like René Quinton for example, intoxicated with what the pacifist Novicov called *social darwinism.* Even when they declare for war, politicians prefer to give the impression they are pursuing peaceful ends. And there are people who reject pacifism and regard war as a necessary evil — a formula whose truth has not yet been demonstrated — repeating the axiom, *Si vis pacem, para bellum* —a recipe of doubtful efficacy.

So from whatever angle we consider it, the term *pacifism* is awkward to define, not to say impossible, and this does not exactly facilitate the forming of a true judgement as to its content.

If I may venture to make a personal reference, there was a time after the first world war when I let myself be dubbed a pacifist and was even proud to call myself one. I do not regret it.

Je le ferais encore si j'avais à le faire.

For at that time the word jolted French Catholics who were still under the sway of the Maurras brand of nationalism, and served to affirm an attitude, at once a religious and a moral one, though without social or political implications. To declare one was 'pacific' meant practically nothing, for in ordinary speech the word had lost so much of its original etymological force and had come to stand for a sort of good-natured easy-

going attitude. Since, willy-nilly, one had to have a label, I chose pacifism.

But reflection and experience have rid me of the desire to parade it, because it has indeed faded and grown blurred in course of time; but my chief reason for dropping it is its doctrinal imprecision and the resultant misunderstandings.

For a rough-and-ready definition of pacifism let us say that it represents a vague current of thought and endeavour tending to regard international peace, if not as an absolute end, at least as the supreme target worthy of human activity, consequently subordinating to it other aims which other trends of thought place higher in the scale of values.

Thus conceived, pacifism seems fairly reasonable; too reasonable, precisely, to constitute more than a common denominator among attitudes which are in fact far less reasonable, for all that some people seem to find them rational and even rationalistic. What we said about the effective and emotional element in pacifism is even truer for the 'existential' forms of pacifism considered individually, than of pacifism in general.

The psycho-sociological context of the various forms of pacifism may not have been sufficiently studied, perhaps because there was too much concentration on their ideological aspects. It is a bold man indeed who would try to distinguish them according to their social and cultural origins. On the other hand it would be no less presumptuous to ignore these determining factors.

Pacifism varies from one period to another. There is a permanent kind of pacifism of which Aristophanes in his *Peace* was one of the first acknowledged representatives. It can be traced all the way from Aristophanes to Romain Rolland, via Tolstoy's *War and Peace* and, of course, Victor Hugo, and best of all in lyrical poetry. Equally, the historian has had his 'grand designs' and projects for perpetual peace at least from the time of the legist Pierre Dubois' *De recuperatione Terrae Sanctae*. But up to the eighteenth century we really have nothing but

high-sounding platitudes — *bella matribus detestata,* or utopias pre-figuring our own future — foretelling novels. It is only since the eighteenth century that pacifism exists as a properly constituted doctrine, since l'abbé de Saint-Pierre and Emmanuel Kant in fact. It emerged at about the same time as doctrinal nationalism together with the enlightenment and rationalism and humanitarianism — but also romanticism. Certain historians have attempted to trace the pacifist movement to the lawyer-theologians of the sixteenth century, Vitoria and Las Casas. There may be something in it, a certain filiation of ideas perhaps; but to see those men as they really were is to realize how they belong in a different category altogether; just as in the last century a man like Taparelli d'Azeglio cannot be considered in the same category as Emmanuel Kant, in spite of his plans for world unity through ethnarchy.

From the eighteenth century onward, pacifism has appeared in a variety of shapes. The collective psychoses of war-time undermined it almost completely, but it re-emerged in post-war years fortified by accumulated sufferings and disappointments. It seems to me that the high-water-mark was attained between the two world wars, especially between 1920 and 1930; to judge from the amount of pacifist literature then available. There were some fine works among it, and the cinema borrowed from it to spoonfeed the masses. After the second world war the pacifist movement did not meet with the same amount of popular support, in spite of the widespread feeling people had of being let down. The United Nations Organization did not arouse the same enthusiasm at its inception as the League of Nations had done.

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Varying in type at different periods, pacifism also varies in different places and among different peoples. East and West, it is most at home in India, with its tradition of non-violence, Hindu or Buddhist, and in England, traditionally mistrustful of militarism and even of the army as such: England was the first nation to produce conscientious objection and one of the first to lega-

lise it. Quaker pacifism, for instance, is typically Anglo-Saxon and British. In the Latin countries and in the Germanic and Slav countries pacifism is far less widespread, less at home, less acceptable, than in England.

Pacifism varies, too, according to social conditions. There is for instance a rural pacifism. The farmer hates war by instinct, not so much for humane reasons but because it is his ruin, destroying the fruits of his labour and damaging his land. He accepts it only defensively, to protect his plot. When called to arms he makes a good soldier, but he dislikes military service which takes him away from his fields and normal occupations. But this form of pacifism is, as we said, instinctive and, in a way, elementary. Hence the peasant's eventual acceptance of war even though his first reaction may have been pacifist, as when the Vendéens rose against the Republican armies: they fought in defense of their faith, but also because they rejected conscription.

More rational, less instinctive is the urban world of the bourgeoisie, the middle-classes, but it turns out to be even more paradoxical than the countryman's. It constitutes a breeding ground for nationalistic, even chauvinistic tendencies — militaristic ones too, though these derive rather from the old feudal nobility. At the same time, it is from this environment that pacifism draws its doctrinaires, its theoreticians and its best recruits. In particular, the juridical brand of pacifism, about which we shall have more to say, seems to be exclusively bourgeois in inspiration as well as expression. It is an offspring of the legal mind, of those 'lawyers' so detested by the generals of the French Revolution and by Napoleon's grenadiers. Indeed in bourgeois mentality there are conflicting tendencies that fight the whole time: an exalted conception of the nation and the Nation-State, which is a bourgeois invention: its appearance coincided with the expansion of the middle-classes. National feeling easily devolves into nationalism. Then, on the other hand, we find a characteristic distrust of the army and tradi-

tional militarism in the classes that used to clash with feudal establishments, and a profound and permanent longing for peace as necessary for economic productivity and the making of solid fortunes.

As for the workers' world that emerged from the industrial revolution, it preserves strong traditions of pacifism overcharged with anti-militarism and romantic humanitarianism. This tradition goes back to the early days of the workers' movement, as we see in these verses by Pierre Dupont the songwriter, composed between 1830 and 1848:

> A chaque fois que par torrents
> Notre sang coule sur le monde
> C'est toujours pour quelque tyran
> Que cette rosée est féconde.
> Ménageons-le dorénavant:
> L'Amour est plus fort que la guerre...

(Each time our bloods flows in torrents on the world it is always for some tyrant that this dew is fecund. Henceforth let us be sparing of it: Love is stronger than war...). The pacifist tradition of the labour movement is often linked with federalist trends, as in communist anarchism or trade-unionism of the Proud'hon type. But no less than bourgeois pacifism, working-class pacifism has to cope with its internal and external contradictions, and these are conditioned by the degree to which a considerable proportion of the labour movement accepts the class war, both as a fact and as preferential means of achieving the social revolution. Seen from this angle, war on the international plane is undesirable chiefly because of the harm it does to the cause of social war, the only real war, the only necessary one; and because it draws off to other ends the effort needed for the 'final battle'. But if socialism is once established in a country, which then becomes 'the home of the proletariat', then we see a surreptitious re-emergence in working-class mentality of bellicose nationalism and even imperialism. It was a tremendous success for marxism when, by sheer pressure or rather sleight of hand, it turned the traditional pacifism of the labour movement into an element of the social war, declaring that the *International*

is for tomorrow but meanwhile we must fight, even if it means supporting the most outrageous brands of nationalism.

Thus, in the spontaneous forms it adopts in different social environments, pacifism gets more or less mixed up with the ideologic current in them, and appears to be largely lacking in coherence and riddled with contradictions. It involves attitudes rather than beliefs or convictions. No one social group can claim to be intrinsically pacifist or to have a monopoly of pacifism.

Let us now round off this scrutiny with a glance at the frequent over-lapping of the pacifist and feminist movements. There is a peculiarly feminine kind of pacifism with which those who frequent international congresses are very familiar. Between the two wars, a good representative of the type was a militant Frenchwoman, Marianne Rauze. Its main features are a dominant sentimentality, an educative bias and a habit of hunting down the little lead soldiers — together with a fine scorn of political contingencies. Are these feminists really expressing the feelings of their sex ? To some degree, yes, for woman, made to create life, instinctively opposes death and whatever is conducive to it. But let us not forget that women often share men's bellicose feelings with equal and sometimes added intensity, inciting warriors to fight on. Andreas Laszlo's remark remains terribly true: 'When we went off, not a woman lay down on the railway line to stop us'. Whathever the poets may say, pacifism is not a natural attribute of the feminine sex. Eve, like Adam, is torn asunder by internal contradictions.

A curious grafting of pacifism occurred between the two world wars among groups of ex-soldiers. It found literary expression in some best-selling novels of the day, in France *Le Feu* and *Croix de Bois,* in Germany *All quiet on the Western Front* and *Four Infantrymen.* I call this form of pacifism curious because it combined a nostalgia if not for war itself, at least for the comradeship of the trenches and other by-products of war, and a great pride in having been through it all, a fraternal feeling for the men on the other side, together with an emotional, rather than reasoned, love of peace. A partly similar phenomenon occurred as an aftermath to the second world war, but among ex-prisoners rather than old soldiers. This soldiers' paci-

fism is not so paradoxical as it seems at first sight. Though new in the annals of human conflicts, it corresponds to the modalities of contemporary wars which, said Jules Romain, mobilize men by the million, that is, in enormous masses of non-voluntary combatants, 'valets de gloire' as the pacifist Joseph Jolinon called them.

These offshoots of pacifism differ from one another either in the origin of their ideologies or in the ideologies themselves.

Some are of a religious nature, with either pagan Hindu or Buddhist roots or else Christian ones. It is noticeable that Islam, though individuals may adopt 'non-violence', does not ever seem to have given rise to a pacifist movement. Islam is an essentially warring religion. Among Christian nations, pacifism has chiefly touched the Protestant elements in Anglo-Saxon countries and a limited section of the Russian world, for instance the curious sect of the Doukhobors now settled in Canada. The whole theology of pacifism rests on a literal interpretation of God's command 'Thou shalt not kill', and certain New Testament passages. It is in consequence an integral pacifism. But none of the established churches, neither Catholic nor Orthodox nor Protestant, has ever officially sponsored these literal readings. Integral pacifism has been the concern of sects like the Mennonites, descended from the Anabaptists, or of spiritual families like the Quakers, or of groups that remain attached to established churches but act on their own account as special groups. Even the Franciscan Third Order which did such splendid work for peace in the Middle Ages, though it carried very far what we may call in anticipation its pacifism, did not go as far as integral pacifism, except for a few 'spirituals'.

On the other hand, some forms of pacifism derive from the humanist tradition and are non-religious or even anti-religious: from rationalism, humanitarianism and sometimes materialism. There is, for example, a masonic pacifism of a very humanitarian type, admirably represented by M. Lucien Le Foyer, and a socialist pacifism, fairly widespread in the various currents

of the socialist movement, apart from Leninist or Stalinist marxism, and to this tradition belonged Romain Rolland before coming under the influence of communism; and finally there is a pacifism of anarchical inspiration, whether individualistic or communistic, a decidedly radical type which stood for labour strikes, tax strikes, the rejection of military service; and even a 'body strike', meaning the voluntary restriction of births, a trend to which Victor Méric, for instance, gave simple and vigorous expression (though he is completely forgotten today). However all these different forms of pacifism only represent fleeting aspects of a much more extensive movement, one riddled with cross-currents of all kinds. We have already dealt with those proper to working-class socialism. The masonic movement embraces both humanitarian pacifism and radical nationalism. The anarchical trend is just as likely to lead to terrorism as to integral pacifism.

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All these various influences are seen at work in the different species of ideological pacifism. The integral pacifism of a Tolstoy, for instance, is based on the Gospel but also derives from masonic humanitarianism and Henry George's agrarian socialism. The more moderate pacifism of an André Gide stems from a mixture of calvinistic spirituality, federalism, and cooperative socialism of the Proud'hon type.

The most authentic form of pacifism is integral pacifism with its systematized and generalized 'conscientious objection', implying a refusal to take part in war, or in national service in peace time; sometimes there is also a refusal to pay taxes, in so far as they constitute contributions to a military budget. So long as it remains a matter of theory, this attitude looks like a sort of mental gymnastics, a pastime for intellectuals and semi-intellectuals, rather distasteful to people conscious of their commitments. But when action is necessary one cannot deny it a certain nobility even if one judges it mistaken, for it will make a courageous stand. However, it gives rise to countless objections which are equally, in their own way, 'conscientious objections'.

In practice, from a psychological viewpoint, it is pretty untenable. Romain Rolland proved it in his transition from integral pacifism to pro-Soviet belligerance. Two integral pacifists of my acquaintance, both men of good will, deserving of every respect, spent the years between 1940 and 1946 in a series of situations that only underline the difficulties they faced: one became a pro-Hitler 'collaborationist'; the other acceeded to active, armed, resistance. Such instances could be multiplied a hundredfold. Indeed, among integral pacifists, those who, come what may, remain true to themselves seem almost exclusively to be people whose attitude is prompted by a religious faith, outside and above their pacifism. It seems equally significant that in India itself, Ghandi remains an isolated case, and his successors renounced integral pacifism as soon as they took over the responsibilities of power.

This is not surprising, for taken to its logical conclusion, that is to say, to the refusal to pay taxes, integral pacifism leads to a sort of anarchy, incompatible with the claims of life in society, and most of all with those of the socialized world we live in today. Either it accepts compromise, and then it is no longer integral, or, with the rejection of all concessions, the pacifist finds himself doomed to live, not only apart from society, but even as its enemy. Indeed it seems that a compromise is bound to intervene sooner or later, in the shape of a 'limitation of damages'. In the long run pacifists tend to form small groups tolerated by the main body of society in exact proportion as their influence is limited — but only in 'liberal' countries of course, for in totalitarian states there can be no question of pacifism, either integral or mitigated. The place of the Quakers in Anglo-Saxon society illustrates how integral pacifism can be absorbed.

However it would be unjust to dismiss integral pacifism merely with a record of failure and inconclusiveness. Even if it poses problems it cannot solve, the problems are real and grave ones: the refusal to participate in an unjust war; the legitimacy of compulsory universal military service; and the moral basis of our massive world-wide nihilistic modern wars.

Apart from integral pacifism there are other more moderate

or mitigated forms, sometimes so watered-down that we may well wonder if they are still pacifist at all. All pre-suppose moral premises, the primary one being the supreme value of peace among nations. But the conclusions drawn have a variety of different contexts. There are three principal types — politico-juridical pacifism, economic pacifism, and moralistic pacifism.

The first aims at building up the peace by means of a progressive international law, and in particular by institutions concerned with arbitration among nations and with collective security. The great forerunner here was Léon Bourgeois with his philosophy of solidarity, and the first to put these ideas into practice was Woodrow Wilson, President of the United States. After a trial run with the International Tribunal of The Hague, this form of pacifism was worked out in practice in two successive institutions, great ones though imperfect: the League of Nations, and the United Nations Organization. And there are other partial achievements, often important in their way, like the International Labour Organization UNESCO, or in another sphere, the European or Pan-American institutions.

This form of pacifism rightly insists on the necessity of international institutions and stresses the importance of law for the elaboration and maintenance of peace. Where it goes wrong is in its tendency to anticipate, pressing ahead with lawmaking and the creation of juridical institutions, while the setting up of economic and political structures and the forming of attitudes of mind lag behind. Or else it has an excessive and too exclusive confidence in means, and in the spirit of the law, and is too little interested in facts and in emotional reactions. When legalistic pacifism gives these tendencies free rein (and they are part of its very nature) it must ruefully face the consequences: law rendered inoperative, and international institutions not only incapable of preventing wars, but even sometimes implicated in spreading and generalizing them.

Economic pacifism on the other hand claims to be grounded in fact, fact of even the most prosaic and solid kind. Perhaps the best exposition of this trend is to be found in Norman Angell's little book, *The Great Illusion*. Economic pacifism demon-

strates first of all that war does not pay, hoping by this means to discourage warmongering. It goes on to prove that when properly understood, the interests of individuals and nations, both economic and moral, lie in maintaining peace and in suppressing, or at least reducing, military expenditure, which is non-productive by definition.

All this is perfectly true. But economic pacifism forgets that man is not pure *homo oeconomicus,* solely devoted to the pursuit of his own clearly conceived interests, but is also subject to passions, hatreds and fears, and he may or may not see where his interests lie, or he may be mistaken about them, or despise them in favour of something he believes to be more exalted. It also leaves out of account the fact that war, if it does not pay for the victor, leaves the vanquished ruined; and if it does not pay for nations, individuals and groups may do well out of it, and these people are not likely to sacrifice their private interest on the altar of the common good.

Again, moralistic pacifism is based on a moral concept which it applies to the political situation it encounters. Its father is Emmanuel Kant. It vaunts the supreme value of peace, denounces the horrors of war, exalts collaboration and cooperation among nations. All this is praiseworthy. But if it gains an extensive audience in times of calm, and if even politicians do not hesitate to pay lip-service to it, it seems to lose force with the unleashing of the collective passions that lead to war. It can even become hypocritical when politicians attempt to enrol it to serve their own designs. 'A just war... the defence of civilization...' — such misuse of terminology has drained it of all force.

One thing is clear: up to now, in spite of their variety and the nobility of sentiment inspiring them, these three categories of pacifism, with their combinations and permutations, have scarcely achieved any more success than the integral pacifism they criticize as being exaggerated and unrealistic. To be precise, they have had their partial and temporary successes, but not in proportion to their high hopes.

What accounts for the failures ?... Well, there is the resistance of matter to mind, of determinism to human liberties, but

there are also, as we believe, certain errors which vitiate most existential forms of pacifism.

First, a certain rationalism, an excessive confidence in human reason, and at the same time a certain psychological individualism assuming the behaviour of groups to equate with that of individuals. All pacifism under-estimates the power of individual and collective passions and practically ignores the psycho-pathology of groups.

Two examples. We remember the pacifist campaigns against the 'gun merchants'. They were quite justified. I took part in them myself as a sort of cleaning-up operation and I don't regret it. But for some the movement became a legend, all about the manoeuvres of wicked armament manufacturers imposing war on nations eager for peace. Experience has shown that nationalized 'guns' are just as dangerous as privately-owned ones. The danger has merely shifted its location; anyhow it resides not so much in the guns as in the men using them. — Second example: a favourite theme of the pacifists is of peace-loving populations versus warmongering heads of state. It may have corresponded to fact on given occasions, under absolute monarchies for instance or classical dictatorships. It certainly does not apply where our massive democracies and totalitarian dictatorships are concerned. If heads of state desire war and sometimes manage to impose it on their peoples, it may also happen that the masses desire war and impose it on their leaders.

These examples, while showing up certain errors of a nationalistic or individualistic nature, serve to reveal a third error: a belief propagated by J.-J. Rousseau in the natural goodness of man. Man is not of course the 'beast of prey' of social darwinism, that seems clear enough; but neither is he by nature 'the good savage'. It is the ambiguity of man that eludes the rationalism of the pacifists, fascinated as they are by their notion of human nature.

The enemies of pacifism usually accuse it of sentimentality. The pacifists, they say, let their hearts run away with their heads. It is a superficial view. There is as much, and more, sentimentality in bellicose nationalism, race theories and chauvinism of all kinds as in pacifism, whatever is form: it is dif-

ferent, that is all. A would-be realistic policy founded on such sentimentalities is ultimately just as unrealistic as pacifism. As a general rule pacifism is as likely to err by excess of rationalism as by excess of sentimentality. Its sentimentality is of a romantic turn, colouring both reason and common sense. Indeed, such a plethora of reason seems to imply a certain psychological deficiency when it comes up against other trends of thought, making it appear too reasonable, too matter-of-fact — with but a nightcap or bowler hat to counter your plumed helmet, and for sword an umbrella. One of the most farseeing of the Christian pacifists, Marc Sangnier, was aware of this when he founded his 'Volunteers of peace' to give pacifism a sort of aureole of glory.

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Now we have come to the end of this survey, the reader will surely appreciate what I have been trying to do in the course of a rather cruel dissection of pacifism. It was not aimed at boosting its opposites: nationalism, imperialism and warmongering; nor was it merely totting up equivalent but opposite errors. In fact I would readily agree that, could it avoid excessive systematization and anarchical deviations, pacifism would be much nearer to natural morality and the Gospel than most of its doctrinal opposites, and obviously the first of these is sub-Nietzschean or sub-Darwinian bellicosity. But I was merely indulging in an examination of conscience, as a man who, for more than thirty years, worked his utmost for the peace of the world and ran into all forms of pacifism, all species of pacifists. To witness their failures, even at times to predict them, was anything but a pleasurable exercise, for the failures of pacifism are, by the same token, the failures of peace.

Now the failures of pacifism stem from its relativity. And this relativity derives not only from contingencies and the influence of practical ideologies, but from a more profound error, that of taking peace among nations for an absolute (even if one does not always admit it to oneself). Of all the forms of good that men seek in groups — as St Thomas of Aquinas reminds us —

peace, meaning unity, is doubtless the most precious and exalted and noble. Of all temporal values it is perhaps the one most deserving of our allegiance, but it is not the one unique value governing all our actions in the temporal sphere. Without justice for instance, all peace is a deceit and goes but haltingly, and to treat it as an absolute is to turn it into an idol.

To touch on idolatry is to come to the very heart of the matter. If existential pacifism deviates so profoundly, it is because of its fundamental naturalism; indeed, Christian pacifism has often been infected in this way too. There is only one absolute, who is God — the God of Peace, without whom peace itself becomes an idol. And for us Christian peace bears the name of a person, Christ, *Pax Nostra*. Outside this ontological and supernatural range of vision, all is but experiment, thwarted endeavour and brave aspiration.

Within the Church there is room for a Christian pacifism, as for other tendencies of a temporal nature — Christian trade-unionism for instance — so long as their temporal and relative nature is admitted, and Christendom, which is the temporal projection of the Church, is not mistaken for the Church itself. The Church draws its doctrine of peace from the Gospel, it is one which lies beyond pacifism and all other ideological 'isms'. As Pascal would say, it belongs to a different order. But it alone can give a firm doctrinal base to pacifism, as to patriotism, uniting them in the one same, unique, charity.

(Translated by R. M. Bethell).

WILLIAM H. ROBERTS

The International Political Common Good*

I

The geographer Ratzel indicated more than seventy years ago that the course of human history was going to accelerate in direct ratio to the increasing speed of human mobility. And, he continued, a tendency to ever larger political units will make itself felt as this process of historical speed-up continues. Both predictions have come true — particulary during the last decade. In a recent issue of *Planes* the editors, speaking of jet transports, have this to say: 'Within the next few months, a miracle in geography will occur for air travellers: The United States will loose one-third of its size. New York, in relation to Los Angeles, will be located near Chicago. Denver, in relation to Washington, D.C., will be near Kansas City, Mo. This miracle will be brought about by the time saved in flying new turbojet transports, the most dramatic advance in commercial transportation since passengers boarded the first scheduled airline flight in 1926'. What the human race has been confronted with since the early development of railways — barely a century ago — has been an ever increasing shrinkage of space and historical time. The foundations of this trend are to be found in science and technology; their results, however, make themselves felt in human affairs — individual, social and political.

In the realm of individual affairs it is at least partly the

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shrinkage of historical time which has led to various expressions of existentialism which, in its extreme forms, is nothing else but a radical philosophy of becoming — a modern upshot of the Heraclitean-Hegelian line of thought.

In the realm of social affairs the impact of science and technology has led in the Western world, the USSR and in the less developed areas of the world to a race between the various attempts to adapt or create anew a social structure in line with the pressure of contingent facts. This impact has led to the world-wide manifestations of social revolt or outright social revolution we see all over the globe. The speed of this revolt varies — however, the motivating forces are essentially identical: attempts to adapt society pragmatically to the pressures exerted by science and technology. We can possibly point to Marx as one of the first representatives of the various schools of thought which have subscribed to a pragmatic adaptation to the modern pressures exerted upon man. The millenium which Marx and his successors have promised is — in the terms of their own philosophy — nothing else but an ideological superstructure devised for the purpose of giving some meaning to their philosophy and policies and, last but not least, to provide thus the tools necessary for political domination.

Since all these attempts to achieve, what we choose to call, pragmatic adaptation cannot operate without a foundation of principles, they have to be looked for in the only realities which these various schools recognize: techno-scientific reality and/or society itself as it moves toward adaptation. The principles are essentially thought to be immanent in the situation: this is true whether we speak of Durkheim, Duguit, Sorel or the modern functionalists. And as the principles are believed to be immanent in science, technology or society, we find that man himself has been eclipsed; he has become an adjunct, an accessory, of the machine, an ignominious cipher and particle of society.

All these forces, in turn, make themselves felt when we come to analyze political society and its corporate expression, the state. The state, as Duguit pointed out, has to become a functional service state. The principal task of this state's government is that of providing for the efficient administration of public

services; and the inner meaning of the law of a given society (*la règle de droit)* is essentially the effective recognition of the fact that techno-functional services have to be kept going. Man's rights in such a society are to be proportionate to his contributions to this task; over and above that, man's rights remain at best in the twilight zone of implications and inferences to be drawn by those who apply these teachings. Unfortunately, as in times past, Catholic terminology has been used to develop some of these concepts, a fact which has led to considerable confusion. The disciples of these schools make extensive use of the terms «solidarity» and «natural law»; let us be aware of the fact that, in this context, they carry an entirely different meaning from what we imply when using the self-same terminology.

The Communist state and other modern totalitarianisms are expressions of an extreme application of these various doctrines. The socialistically planned state and the socialist welfare state are next in line; they are followed by the bureaucratic-administrative state, with its tendency to leave the burden of policy-making more and more to the bureaucrat and administrator (without ever raising the question as to what the substance of his administration is going to be), to the scientist and engineer. Needless to say, all of them have their very important place in modern society; however, all of them are essentially concerned with means. To make them the effective rulers indicates a tendency to replace ends by means — to make the efficient functioning of means our end.

Essentially, what we find here is that all those concerned with process and procedure are put in charge; that their preoccupation with the efficiency of the process itself relegates the substance of the process to the background. We are back again where we started from: the modern tendencies, of which Dewey and Whitehead are by no means the least representatives, which hold that becoming is what finally counts.

How have these tendencies made themselves internationally felt ? By stressing procedure and techno-scientific functionalism as against the substance of the problems we are confronted with. Whether we look at the United Nations or at the panoply

of functional international agencies, the same picture confronts us everywhere.

II

The development of science, technology, the shrinkage of space and time, the need for appropriate administrative techniques are historical facts, and we shall not accomplish anything by yearning for the past and by closing our eyes to the situation which exists. The problem which confronts us is that of finding a way of dealing with these facts on a basis which will protect man against the contingent pressures; protect him in such a way as to make it possible for him to live his life in order to perfect himself and to reach his God-given end. With other words, we are confronted with the task of establishing a social environment in which man can live, under existing conditions, without, to put it bluntly, losing his soul.

The principal purpose of political society and its corporate expression, the state, is exactly the development and maintenance of such a framework; in its formal aspect we refer to this framework when we speak of the political common good. Internationally, the development of a social environment in which the political sub-groups can establish themselves in a way conducive to achieving their purpose, has — in its formal aspect — been referred to as the international political common good. The substance of the political common good, domestically and internationally, is a problem of prudence — prudence as particularly applied to political affairs.

III

It is against this background that we wish to analyze shortly the prevailing international situation. However we look at the international scene, we find that the politically effective organizations are still the nation-states; we do not find any political or functional organizations which could claim to have reached

an even limited degree of politically effective supra-nationality.

Attemps at establishing large-scale organizations have been made along two lines (1) political and (2) functional. Politically and functionally the approach was either universal or regional.

Universal political organization: The United Nations can and will serve a worth-while purpose only if its limitations are clearly recognized and if its potentialities are not exaggerated. If, with other words, the plane of historical reality is not abandoned for utopian dreams. The Secretary-General in his report to the 1958 Assembly has quite clearly given expression to the fact that at present the organization can serve only as a permanent framework for multilateral diplomacy. To make even this end which our small and breathless world imposes upon us, feasible, it will be necessary to revise the structure and procedure of the organization. The Security Council has become paralyzed. The General Assembly — without having a definite value framework comparable to that of a domestic deliberative assembly — has been structured along lines resembling that of a national parliament (votes). Needless to say, since the task of the General Assembly cannot be compared to that of a national assembly, the results of Assembly deliberations have tended to lead to increasing frustration. The result of the failure of Council and Assembly is that the burden of the organization, as far as serious problems are concerned, has increasingly devolved upon the Secretary General. This is an impossible situation which carries in itself the seeds of destruction.

Let us face the fact that in the field of world politics the value and action systems confronting each other are today so antagonistic that great problems cannot be solved by negotiation since the very approaches to them are too dissimilar. It is, to put it shortly, different historical realities which the same set of facts suggests to the representatives of the various value systems. This has been the case in transition periods past; what makes our position more serious than that of preceding ages is the very fact of the shrinkage of space and historical time. It is only concrete, strictly delimited situations which may lend themselves to discussion and, possibly, a *modus vivendi*. However, the very structure of the United Nations, as it stands today,

tends to exacerbate feelings, tends to lead to even greater distortion of historical reality, rather than the opposite. What we need are signs of a «more quiet diplomacy» to wich the Secretary General has had reference recently. It is only along these lines that the United Nations has a chance for surviving as a viable instrument of international society. To achieve this end we do not need Charter revisions which are practically unobtainable today; to achieve this end we do not need spectacular publicity. What we need is steady, quiet and responsible work. Let us face the fact that seriously the United Nations was never conceived of as anything else but a procedural framework within which the powers were going to dispatch their business on as multilateral a basis as the merits of the individual situation suggested.

Regional political organizations: There exist hardly any regional political organizations in the strict meaning of the word. What we could possibly call regional political organizations are a few (not all) collective security arrangements which have come into being when it became obvious that the scope of the United Nations was going to be even more limited than originally contemplated. In general, it is probably correct to say that common defense needs did originally give rise to these organizations. However, the more important ones, e.g., NATO, the Warsaw Pact, etc., have developed into agencies which, however crudely, serve political rather than exclusively military purposes. Why, in contrast to the United Nations, has this been possible ? The answer, even frequently stated in the preamble to the respective treaties, lies in the fact that the value and action systems of the participating members have been sufficiently similar to each other so as to allow for a more permanent and wider framework than any universal organization could provide under present conditions. This is a point which was made many decades ago by Secretary of State Lansing when he warned President Wilson against the probable shortcomings of the then contemplated League of Nations. It is a point that was made again by Sir Winston Churchill in the course of the Second World War; and it was a point to which Pope Pius XII increasingly directed our attention. Let us, then, emphasize that similarity

of the value and action systems is the essential point around which effective political action has to be organized.

Universal and regional functional organizations: However important, necessary and indeed desirable these organizations are, we must not forget that they, by their very terms of reference, are primarily charged with the effective administration of things. Unless we are to commit a grievous philosophical error, we have to realize that functional organizations operate on a plane which is fundamentally different from the political; the former deal with the administration of things, the latter with the temporal aspects of man *qua* man. Functional organizations, if they are not to develop into a Leviathan, have to be organized in such a way as to remain under the effective control of whatever the effective morally acceptable corporate expressions of political society happen to be. We must not commit the error of believing that from organizations charged with the administration of things can develop truly political organizations serving the needs of man *qua* man. Again, this is not to deny the need and importance of functional organizations; however, it is to remind ourselves that functional organizations have to be subjected to the control of acceptable political value and action systems lest they surprise and overpower us with a managerial system of their own.

IV

Great new forces, as we hope to have shown, are abroad; existing organizations are either actually or philosophically ill-suited to attend to what is needed. What constructive thoughts, then, can be offered to deal with the situation mankind finds itself confronted with ? The answer lies in a re-articulation of the perennial concepts to which the Church has given expression, in a re-articulation wich has to take into consideration the peculiarities of the modern mind as well as the pressing needs of our time.

Although the complexity of modern life has given rise to international organizations, and trans-national ventures and

relations undreamed of even a decade ago, the most important elements of international society are still the nation-states. They still provide the most perfect and most complete framework in which man *qua* man (rather than man *qua* functional unit) can attempt to realize and to perfect himself. We have to keep this undeniable fact continuously before us if we do not want to create exactly that situation which our opponents would like us to bring about, namely: to give up the state for a utopian dream. It is exactly in such a situation that anomie and anarchy raise their heads; it is in such a situation that the seeds of virulent social revolution have the best chance of flowering and of achieving their goal.

We have with prudence, vision, foresight and — as Pope Pius XII ever so often said — with a certain amount of daring to build on what we have. Whatever we do, we must not give up the firm foundation on which we stand in probing for the next step we can prudently take. *Quidquid agis prudenter agas et respice finem.* Nation-states have legitimate interests, and we were indeed to sail into an uncharted ocean if we were to relinquish the organizational forms of today for untested utopias of tomorrow. It is only over a transition period of decades and even more that new forms may emerge whose sub-units will be today's nation-states. The organic development of new political units can, therefore, only proceed from the acceptance of the nation-state, however imperfect it may be, as our basis of operations.

What are the pressures which propel us to consider the possibility of new political forms transcending the nation-state? This state does not anymore provide that perfect and complete framework of which, in the course of history, we have come to think as the corporate political expression of society. We do not have to illustrate the fact that even the largest political units of today show material insufficiencies — and that smaller units cannot even live from day to day without establishing close and more permanent relations with their neighbors.

However, it is particularly the whole hierarchy of temporal immaterial valeus which — to an ever increasing degree — find their realization trans-nationally. We have seen that intellectu-

ally — whether in the realm of scholarship, research or higher education — cross-fertilization seems to be the order of the day. It is, therefore, in the field of finding and disseminating scholarly and scientific truth that trans-national relations have made their weight increasingly felt.

In the material and intellectual realms we encounter relatively few difficulties in the path of development. However, these two value levels are located at the very bottom of the hierarchy of values. Our difficulties really start when the question is posed: economic progress — for what ? Education and knowledge — for what ? It is here that we have to face the fact that the higher echelons of the value hierarchy — cultural values, personal values (e.g., friendship, love, etc.), moral values, and (over and above the temporal scale) spiritual values — seem still to divide men from each other. We must not be led astray by accepting the idea that economic and intellectual interdependence are synonymous with the temporal values which have to be integrated to provide the foundation for a higher political synthesis embracing present-day political societies as sub-units.

It is only slowly that we can ascend the ladder of value integration and, moreover, at first only amongst those whose value systems are sufficiently similar to each other so as to provide good prospects for success. Von Hildebrand has pointed out that the cultural values are essentially those temporal community values which reach deeper than the intellect and provide even for the relatively untutored a gyroscope by which, however subconsciously, his life in society will be steered ([1]). These are the temporal social values which are inculcated by family, lower education and general social environment. At best we can hope to see attempts to erase differences in cultural value systems amongst political societies which for centuries have had close contact with each other — and amongst which, in spite of all political differences and internecine fights, the similarity (if not identity) of values was never lost.

([1]) HILDEBRAND, Dietrich von, *Metaphysik der Gemeinschaft*, Regensburg, 1955, pp. 74 ff.

V

Recent preoccupation with the problem of the international political common good and its realization has not primarily been prompted, as so widely believed, by the dangers inherent in the new weapons systems. As a matter of fact, these weapons systems themselves are a result of deeper trends which we have discussed previously. We cannot and must not assume that the solutions to our problems can be found in the techno-scientific field itself; the solution can only be found by morally responsible man applying perennial principles to the situation with which he is confronted.

In order to apply these principles correctly it is necessary to evaluate the situation before us; without such an evaluation a correct application of principles becomes well-nigh impossible. This is the reason why Pope Pius XII admonished us in his Christmas Message 1956 (section 24) that true Christian realism imposes upon us the duty to face without fear and trepidation the first of the three essential values he mentioned there, namely, historical reality. In the preceding section of that Message (section 23) he rejected as un-realistic claims «to create a society entirely new, without taking into account the historical reality of man, neither that of his free act which determines it nor of the religion which this liberty fosters and approves». Continuing in sections 25 and 26 he refuses to accept the so-called «prerogative of the men of the present technical age,» who declare, «to be able to construct society ever anew, in step with that progress in technological ability, and without the need to take lessons from the past.» He equally refuses the claim of those to whom «the world becomes... a laboratory.» And in section 26 he makes his principal point by referring to the fact that «modern man, in approaching social life, does so with the gesture of a technician who, after having dismantled a machine into its constituent parts, sets himself to reconstruct it according to a pattern of his own design. But, when it is a question of social realities, his desire to create things wholly anew is met by an insurmountable obstacle, namely, human society itself in its inviolable historical patterns... Only by supporting the new

foundations on those established strata is it possible to construct something still new. The rule of history over the social realities of the present and the future is, then, beyond question, and it cannot be neglected by anyone desiring to set us gradually to improve and adapt them to the new era.» He continued this topic in the Christmas Message 1957 when he stressed (section 40) the point that «in every respect technology by itself is incapable of recognizing and developing the divine seed of unity and harmony implanted in creatures... Imbued with materialism and the philosophy of the senses, they look for answers to their questions only from their instruments and calculations...» And continuing in section 41 he pointed out that it is only «from the spirit» that «comes the direct perception of the essential connection between facts which are often diverse in character. From the spirit comes the penetrating sharpness of observation and analysis.»

If we, then, wish to proceed toward the realization of the common good of the human race we have to be aware of the fact that a political common good cannot be developed over night — an idea which Pope Pius XII rejected with ever increasing vigor. Our advantage and our problem in assisting in the development and realization of the political common good lies in the fact that — imbued with the idea of the common good of the human race — we have clearer notions of the desirable political common good than most, or at least many others. Our privilege, however, imposes, as Messner has pointed out in his *Social Ethics* ([2]), the duty to be careful in the choice of means so as not to make the possible impossible.

VI

What, then, do we set out to realize ? What is it that we call «the political common good» ?

1. The most comprehensive and most perfect social group which, under given historical conditions, has an effective op-

([2]) Messner, J., *Social Ethics*, St. Louis, Herder, 1949, p. 644.

portunity of cooperatively working toward a common end has been called a political society. Its corporate expression has been the state; its goal has been the realization of its political foundation, the *nomos* of the particular society. The importance of political society and the state, as contrasted to other social groups, lies in the fact that the state has been considered «the institution of institutions,» i.e., the institution charged with the final maintenance of law, peace and order domestically and in relation to other political societies. Dabin, one of the most outstanding writers in neo-scholastic jurisprudence has put it this way: «The outstanding social environment at the domestic level is the political society or state, whatever its legal or historical form... This outstanding rank finds its explanation in the very end of state-society, whose primary aim is to put order into social relationships, all social relationships of the temporal domain. If the state-society comes into being it is not in order to add a new unity to the various relationships and groupings which prior to its appearance have linked men to each other. Or rather, the state-society does make up a new society endowed with its own end and its special organization; but its own end is a purely formal end in the sense that it aims at introducing a principle of harmony and rational cohesion into society in general, which is multiple, confused and often divided.» ([3]) This, then, is the innermost purpose of political society and its corporate form: the appropriate structuring of social dynamics in their physical and moral aspects at home and with respect to the outside world. The political common good is, therefore, as has been so frequently stated, in the last resort the task of establishing an environment in which, under concrete conditions, individuals and social groups can orderly and peacefully work toward the realization of their respective ends.

2. Historically, a political society emerges only if a people is already organized in social groups centered around definite community values. It is only after such value communities have effectively found expression in organized social groups that the

([3]) Dabin, J. in *The Legal Philosophies of Lask, Radbruch and Dabin.* Cambridge (Mass) Harvard U.P., 1950, p. 297; Trsl. from *Théorie générale du Droit.* Bruxelles, 1944, n° 74, p. 73.

next step to a higher synthesis can be taken. It is not only the task of such a synthesis to coordinate subordinate social groups in the direction of a higher common good but also to provide the general framework for the coordination of the various community values. Existing institutions for the realization of community values are, as Dabin has said, re-grouped into institutions of higher synthesis until we are finally confronted with the political society which, as Cardinal Ottaviani has so clearly stated, has the end of maintaining and protecting «the full sufficiency of life in the biological, economic, intellectual and moral order, together with the full and complete development of all rights referring to the realization of these values.» ([4])

3. In the course of history we have seen that new forms of political society usually developed in those periods in which the pressure of interdependence became such that the framework provided by the prevailing forms was considered insufficient. This organic development results from the fact that political society is not an artifact, not a creation of the will, but that it is the response to the need of establishing and maintaining a social environment in which man, under given conditions, can find his temporal home.

The *raison d'etre* of political society is, therefore, the accomplishment of a definite task, the task wich, in its formal aspects, we have found to be «the common good.» The very reality of political society depends thus on a concrete task which has to be accomplished by the group members. This insight leads now to a short discussion of the philosophy of the common good, as well as the principles and the means closely connected and concerned with its realization.

VII

1. Any philosophical examination of the international common good has to start with a clarification of the term itself.

([4]) Ottaviani, Alaphridus Cardinal, *Compendium Juris Publici Ecclesiastici,* Vatican City, 1954, p. 260 (Trsl. supplied).

Our first task here is that of establishing the fact that a good, including the common good, does not exist in a vacuum; the assumption that a good is merely an abstract normative concept has to be rejected. If we were to accept this approach, we should find ourselves well on the way to some kind of unacceptable axiology. What we have to implant firmly in our mind is the fact that any good, including the common good, is always the converse of an *ens,* that it is the converse of a reality *(ens et bonum convertuntur)* ([5]). We shall, therefore, never be able to penetrate deeply into the meaning of the common good if we do not attempt to establish its ontological foundations.

The foundations rest on the insight — differently expressed — that any permanent or quasi-permanent social group has definite accidental reality, an *esse* of its own, which in philosophical literature has been referred to as the *esse intentionale.* Needless to say, this group-reality is different in kind from the substantive reality of the human being.

2. The reality of a social group is, as we have seen, derived from the end which it is supposed to accomplish, it is a reality in the order of ends — a teleological reality, a functional reality. The life, the very existence of a social group depends, therefore, on the attitude it takes toward the realization of that end. This realization, in turn, can only be achieved if the wills of the group members are effectively directed to accomplishing this task. If the common good of the group is in harmony with the ontological and, therefore, with the moral order, the realization of the common good becomes a moral obligation imposed upon the group members. The common good is, therefore, essentially the ideal end of the group set before its members as a desirable goal that has to be realized.

3. Any social group or its corporate expression which has teleological reality has *qua* this reality a sphere of action which is peculiar to it; this reserved sphere of action has been referred to as the *suum* of the group. The social group, like the individual, needs this sphere of action because it is only through action that their ends can be realized. If the particular *suum* is

([5]) Messner, J., *op. cit.,* pp. 46-47.

unduly limited, the group — or as a matter of fact the individual — cannot perform the actions necessary for the realization of their ends. The *suum* refers, therefore, to a protected zone of activities, to a zone of individual and group rights which are inherent in the very reality of the subject of these rights. This is the reason why, in the ordinary course of events, the *suum* has to be protected against interference from the outside. The sanctity of the *suum* can only be fully understood if it is realized that it is within this protected province that action leading to the realization of the end has to originate. Interference with the *suum* means, therefore, interference with the *esse* of the group, with its common good.

4. The meeting point of end and purpose of the ontological and moral order, on the one hand, and group ends on the other, lies in their convergence on the only substantive being, i.e., the individual person. The ontological and moral significance of a social group will, therefore, depend on the degree to which it — directly or indirectly — assists the individual in realizing his end and purpose as a human being. The smaller the group and the closer the group to the life of the concrete person, the more directly will it lend its assistance to the realization of the end of the individual; the larger the group and the more remote from the life of the concrete person, the more indirect the assistance will be. The impact of the more remote groups on the individual will make itself felt through a chain of other social groups interposed between itself and the concrete person.

However the ends of various social groups are measured, the final yardstick will always remain the degree of direct or indirect assistance rendered the concrete person in the realization of his individual ends. It is this yardstick which will assign to the group and its common good its place in the hierarchy of ends.

From this discussion emerges the fact that, on the one hand, the individual person and the social groups and, on the other, the social groups amongst each other are intimately inter-connected. Individuals and social groups exist, therefore, in a great organic entity; this being the case any disturbance of this

fine organism will create maladjustments whose repair has been one of the major tasks of mankind in the course of history.

VIII

1. The perfection of social reality implies — as we have seen — the effective direction of the wills of the group members toward the realization of the common good. The perfection of social reality is, thus, a cooperative task which transcends the task and the power of the individual members of the group. The nature of the specific common good to be realized by a group will give rise to a concrete social discipline, a concrete order, which will have to be observed if this goal is to be realized. Basically, the order of the group rests on the scale of values and on the principal means, the concrete norms, by which the common good is to be realized.

2. Order, in turn, suggests the existence of an organization whose task it is to realize this order. Order and organization stand, therefore, in a very intimate relation to each other; we cannot and must not attempt to create organizations for organizations' sake; let us remember that the *raison d'être* of an organization is the realization of a concrete order. If the common good and an appropriate order are not concretely and definitely visualized, organization itself will not serve as an effective substitute for it. Just the opposite is going to happen: the organization will attempt to establish a common good and an order of its own — trying to impose it on the group members — frequently against their better interests and against their will. The tendency of creating organizations for organizations' sake leads to abstract systems of order which become ever more remote from the individual. They come to exist for the realization of their own interests — a goal which can be accomplished only if the individual is sufficiently de-personalized to serve the purpose of the organization. Organizations without clear concept of an underlying order create vested interests (in the critical meaning of the word), i. e., they tend to create independent scales of value to be realized by the organization. Let us,

therefore, beware of creating organizations if we have no clear concept of the order, the values and the norms which the organization is supposed to realize.

3. The organizational form which is best suited to give expression to an already existing — living — concept of an order to be realized is the institution in the sense of the word in which Pope Pius XII has referred to it. The nature of such an institution was primarily investigated by Hauriou and Renard.

Hauriou, to whom Renard referred as «the greatest forerunner of the restoration of Thomism to the philosophy of law», defined an institution as an idea of an undertaking which is to be realized and which persists juridically in a social environment; for the realization of this idea an authority is constituted which procures organs for itself; and in addition among the members of the social group interested in the realization of the idea, there are produced manifestations of communion directed by the organs of the authority and regulated by definite procedure ([6]). Hauriou tells us, therefore, that an institution is made up of three elements: (a) the idea of a definitive task which has to be accomplished by a social group; (b) an authority created for the purpose of helping in the realization of the idea, and (c) manifestations of communion among the group members concerning the idea and its realization. Renard himself has referred to institutions as «the communion of men in an idea.» And then he continued that «the essence of the institution is the idea. For juridical science it is not only men who count; there are also ideas» ([7]).

What, then, are the juridical institutions of which Pope Pius XII spoke when dealing with international problems ? These institutions, and a better translation would refer to them as legal institutions, have been designated by Dabin as «institutions of rules at the service» of social institutions. The legal (or juridical) institution is «a body of laws whose elements are legal rules.» And then Dabin continues, «what characterizes

([6]) Hauriou, Maurice, *Aux Sources du Droit,* Paris, Libr. Bloud & Gay, 1933, pp. 97 ff.

([7]) Renard, R.-C., o.p., *The Institutional Theory* in *Modern Theories of Law,* Oxford U.P., 1933, p. 72.

the legal institution as against the legal rule in general is the systematic note ... they are the hierarchically arranged totalities of legal rules relating to different matters» ([8]). The diverse problems arising in a social group «give rise to a set of rules designed to implement a fundamental idea which constitutes the animating and federative principle of the institution under contemplation...» ([9]). And then again «among the rules thus articulated there prevails a hierarchy whose key is furnished by the end of the institution and by the degree of proximity of the means to the end...» ([10]).

Hauriou pointed out, as Dabin does, that the social and legal institutions are different by their very subject matter. Dabin puts it this way: «only one link unites them, the idea of the organic whole ([11]). Juridical institutions are, then, the legal counterpart of underlying social institutions.

IX.

Individual-group relations and inter-group relations are linked by three principles: (a) that of solidarity, (b) that of subsidiarity and (c) that of social justice.

(a) The principle of solidarity indicates that the wills of the group members are to be directed toward the realization of the common good — if the group end is a desirable one. This implies that individual preferences and interests, as long as the *suum* of the individual or the subordinate group remains unimpaired, have to yield to the means which are necessary for the achievement of the common good.

(b) The principle of subsidiarity indicates that all tasks which can legitimately and adequately be performed by social groups closely connected with the life of the concrete person should be assigned to them — and that the *suum* of groups on the next higher level should cover only those tasks which the more

([8]) Dabin, J., *op. cit.*, p. 285.
([9]) *ibid.*
([10]) Dabin, J., *op. cit.*, p. 286.
([11]) Dabin, J., *op. cit.*, p. 285, n° 1.

immediate groups ought not or cannot perform. Whereas solidarity lays down the basis for cooperation, subsidiarity tends to provide protection against collectivistic and unduly centralistic developments.

(c) Solidarity and subsidiarity are not applied in a social vacuum or in a static condition. They are principles of social life, i.e., they have to be applied under ever-changing conditions and contingencies. The problem which has confronted the Popes since Leo XIII has been that of articulating a principle which could be made the effective foundation of norms directed to establishing a harmonious balance between the appropriate [illegible] of the individual and the various social groups, on the one hand, as well as amongst social groups, on the other. The principal purpose of the concept of social justice is exactly that of providing an effective foundation for the ever-necessary adjustment and regulation of the interplay between solidarity and subsidiarity.

X

We have tried to analyze the deeper currents which influence the contemporary international scene. Then we have tried to provide a basic re-examination of political philosophy, and we have finally taken a look at the nature of institutions and the three principles of social action.

What, then, seems to have emerged from our presentation? First, we have to recognize that the political common good deals with the human status of man — not with man qua functional unit.

Secondly, this means that the concrete political common good, the very essence of political society, can effectively come into being only if the values of the subordinate value communities are sufficiently akin to each other so as to permit the emergence of a political order. Conversely, this also means that wide diversity in values bars for the time being the development of a concrete political common good, i.e., of a political society.

Thirdly, we have to remember that similarity of values [illegible]

even more necessary in the higher reaches of the hierarchy of values than in its lower echelons. A concrete political common good cannot emerge solely on the basis of identical or similar material, techno-functional or even intellectual values.

Fourthly, we have to remember that neither the pressure of the situation nor good will alone can, as Pope Pius XII pointed out in his last two Christmas Messages, overcome the facts of historical reality. Neither can we forget that the solution to our problem is not immanent in the situation we are confronted with.

Fifth, let us remember that a concrete international political common good, a concrete society of wider scope than the existing nationalities and of which these states will be autonomous units, can emerge only in a slow and arduous process of ever closer tying to each other already related value communities, internationally as well as trans-nationally. Conversely, this means that we cannot and must not set our sights too high lest we endanger not only the existing common good but also the potential political common good. Pope Pius XII laid stress on this point when he warned us against attemps to proceed mechanically — as contrasted to organic development. In his address to the Association of World Federalists (April 6, 1951), he emphasized that purely mechanical equalization was insufficient and that any organization which was to endure would have to encompass the totality of natural relations in their normal and organic order. And in his address to the members of the First International Congress for Private Law (July 15, 1950), he questioned whether the time had yet come to attempt unification, even of private law, that was to encompass all nations. He questioned then whether such an attempt would, under present conditions, actually be in keeping with the demands and needs of the common good. This was also the reason why Pope Pius XII referred again and again to Europe as the region in which an attempt should be made to create a higher political entity. And even there, as he said, the road was going to be hard and arduous; even there great differences in approach exist and the obstacles created by vested interests, the states themselves, have to be slowly overcome.

Sixth, let us remember that the United Nations can at best become an operative agency in which political entities will find it convenient to dispatch their business. Let us also remember that existing technical and functional agencies are but stepping stones alleviating, if properly used and guided, the transnational assimilation of the lower echelons of the hierarchy of values.

The United Nations as well as technical and functional agencies, if properly understood, can serve a useful purpose; if imprudently used, they will increasingly show signs of becoming agencies acting against rather than for the promotion of a concrete international political common good.

Seventh, let us realize then that our next step ought to be that of assisting in every way possible and wherever feasible the development of more inclusive political entities provided, however, that the following requirements are met: (a) affinity of value communities; (b) *communis opinio* regarding the need and advantage of establishing a more inclusive entity; (c) reasonable protection for the continued identity and autonomy of states entering the new entity; (d) acceptability of the concrete common good of the proposed new entity.

If we follow this slow and long road, we shall — in due course — arrive at a situation which holds out more and wider promises.

Eight, as Pope Pius XII implied in his last two Christmas Messages, it is only within these slowly expanding limits that social justice as the harmonizer between solidarity and subsidiarity can progressively make its weight felt. It is only within these limits that the juridical institutions can be established as an order of true law — the only type of law which the late Pontiff taught us to accept as a step in the direction of the realization of justice.

Hasty, fear-or passion-inspired action, over-emphasis on the volitional and immanent aspects — however high-minded and well-intentioned — can only lead to disaster. Remember St. Thomas' admonition: *Omnis virtus moralis debet esse prudens.*

LOUIS FRENDL

The Soviet Conception of International Law

In order to arrive at a proper understanding of the Soviet conception of international law it is necessary to be familiar with the Soviet doctrine of law in general and with its particular manifestations, which derive from a concept of man, society and the communist State entirely different from that underlying the Western democratic system. This task of comprehension is all the more complex since the Soviets give to certain philosophic and legal concepts a meaning different from the one attaching to them in the West. What we call Western democracy is for them a sort of political capitalism with fascist leanings in which economic liberty is non-existent; what to us is a dictatorship and a regime of communist constraint is to them a so-called popular democracy. But apart from these facts, which reveal the existence of a chaos of confusion, misunderstanding and contradiction, there are doctrinal differences, particularly in the field of law. We will examine in what these consist.

The communist State claims to be based on the principle of law and on respect for the principle of socialist legality. Its supreme juridical norm is a Constitution which lays down a whole hiearchy of legal rules and a complete system of law, with much space devoted to the rights of the citizen and even to those of the federal Republics. In their terminology the constitutional law and the other organic laws of the communist State are very similar to the constitutions of the democracies. The same applies to international treaties between different

communist States or between these and democratic countries.

Soviet scholars constantly invoke the principle of legality to emphasize the juridical character of the communist State. In his article on the Soviet doctrine of International Law in the *Récueil des Cours de l'Académie de Droit International* (1) the Soviet jurist Krylov, who is a professor of international law, claims that legality is strictly observed in Soviet Russia and that «the principles *Salus populi* and *Fiat lux* are given their full value in law and jurisprudence and take on a new meaning in the new socialist States». On the surface everything happens in the communist States in a manner similar to what we know under the democratic system, but in reality this is not the case: there is an enormous difference between the Western and Soviet conceptions of law. It lies essentially in the fact that democratic States of the Western type are States ruled by the principle of law and based on law, a point which the German jurists illustrate best by invoking the concept of «Rechtsstaat» — law State — and the Anglo-Saxons with their «rule of law». In the reciprocal relationships between the States and law, it is law which takes precedence over the State, although it is the State which, by the procedure proper to itself, creates the positive rules of law. These it discovers in the eternal and immutable principles of abstract Justice and of Morality. According to this conception, it is the State which is subordinate to law; it is only an element of law and, consequently, is juridically linked with law. This is a capital fact of primordial importance. In this system a very high place is reserved for natural law, based on morality and possessing a value of its own, which — in the absence of written law — plays a decisive part by recognizing the natural rights of individuals in Society. The duty to discover the principles of law is incumbent not only on the legislator but on all those holding public authority who decide on the rights of the State and of individuals. It is specially incumbent on courts, whence the decisive role of jurists in general and of judges in particular. Moreover, the principle of the separation of powers is a sufficient guarantee against the omnipotence of

(1) Volume 70, 1947.

the State. The idea of pure law signifies the reign of the principles which have a moral basis and eternal value. The essence of the rule of law is the reign of principles binding both on individuals and on the State itself. This means rules posessing perfect objectivity and validity and always taking precedence over any other factor. The rules of human conduct must be strictly applied and may not be interpreted differently in given situations at the will of the authority applying them. This is the decisive factor under the rule of law.

Nothing resembling this system exists in the Soviet State, which is placed above the law and where the law is only a means of coercion for the safeguarding of the political and social order introduced by the revolution. According to Vyshinski's definition in 1948, «law is the sum of the norms which express the will of the ruling class and wich are embodied in the legislative order, but also of the customs and rules of life in common sanctioned by the public power and whose application is ensured by the coercive power of the State for the purpose of saveguarding, consolidating and developing the social relationships and orders which are advantageous and fitting for the dominating class» ([2]).

This definition, which still holds good in principle, is the best reflection of the rôle of law in Soviet society. It is the law of the social class in power after its victory in the class struggle, a law imposed by that class, implemented by the power of the State and designed to serve the dominating class. Law is therefore created by the State, which in the process of elaborating it is not bound by any rule of Justice or Morality. The idea of pure law is completely rejected because — as Lenin used to teach — «law *per se* does not exist». In other words, law is no more than a political instrument for the building of Communism; it is conceived of simply as a part of the superstructure of society and not as a basic element like economy. From the communist point of view everything which contributes to the building of Communism is good, moral and justified. In this

([2]) A. J. Vyshinski, *Questions of International Law and International Policy*, Moscow, 1949, p. 475.

way the communist State considers itself the only judge of good and evil. There is no place for natural law which, moreover, cannot exist in a system characterized by the absence of law *per se* — law which in any case is incompatible with historical and dialectical materialism. The principle of socialist legality therefore signifies no more than a simple rule of discipline for individuals, and also for those exercising subordinate powers, but not for the State nor its supreme organs ([3]). The real legislators, i.e. the Presidium of the Supreme Soviet and above all the Political Bureau of the Central Committee of the Communist Party, are not bound by any rule or abstract principle. It is they who create the legal order and define its bases. One consequence of this is the primacy of the written law, outside of wich there exists in fact no rule of human conduct. Further consequences are the limited role of courts and jurists, who are called on simply to impose the strict application of the written law, and the mistrust of courts and judges, who are subordinate to the power of the Government and not free to found their verdicts in natural law since the separation of powers has not been admitted by the soviet regime. As natural law does not exist, neither under the Soviets do the natural rights of individuals exist; the State has been set above everything and everybody and given the task of regulating the production and distribution of goods. The rights of the citizen written into the Constitution are purely verbal and completely ineffective. In fact the citizen is no more than a simple petitioner vis-à-vis the State which, being placed above him and not bound juridically, can decide on his rights at its pleasure. The role of jurists being restricted, it is the same with works on law, for their importance is extremely limited. That of political works concerning the Marx-Leninist doctrine is on the other hand very great and their influence on social life and the behaviour of public functionaries considerable. This is explained principally by the part played by the Communist Party — a single party which in fact assumes the predominant and capital role of an organ of State, since its Central Committee is placed above all the supreme or-

([3]) David-Hazard, *Le Droit Soviétique*, volume I, pp. 157 et seq.

gans of the State, which are responsible to it. The absence of an immanent Justice, superior to all, the fact that the State is not bound legally, and the primordial role exercised by the Communist Party in the exercise of public authority — such are the essential features of the Soviet system. Since law is no more than an instrument of policy it varies incessantly. In conformity with the Marxist dialectic, it is constantly changing the tenor of its provisions and the criteria of its application. Everything which is good today, may be considered harmful tomorrow; everything which is recommendable for the Soviets becomes bad if others dare to recommend it. This is not the rule of principles and of law, but arbitrary government, since everything depends on the good pleasure of the public powers. The regime which champions such a conception of arbitrary law gives rise to a State of despotism, since the holder of power without law and without rules moves everything by his will and his caprice (4). The dictatorship of the proletariat has therefore created a dictatorship in the juridical sense of the term.

It is necessary to recall these essential truths and to emphasize the despotic character of the Soviet regime if it is desired to obtbain a better understanding of the Soviet conception of international law and its workings and of the behaviour of the Soviets in this field.

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The Soviet conception of international law as it exists today was not born with the Soviet regime immediately after the revolution of October 1917, but results from a long development, fraught with vicissitudes and deviations. It reflects political doctrines which have greatly varied in the course of the last 43 years. This is perfectly in accordance with the laws of dialectical materialism which is at the basis of the so-called scientific doctrine of Communism. Many principles and rules of conduct change in Communism in the course of the years. There

(4) Montesquieu, *De l'esprit des lois,* book II, chap. I; book III, chap. IX.

is only one basic principle which is sacrosanct and which escapes all criticism: that of the communist doctrine itself, the building of Communism being the purpose and the supreme law of the Soviet State and society.

The present Soviet conception of international law as well as those which have preceded it since 1917 should be related to the totality of Marx-Leninist political theory and to communist ideology as a whole. The first Soviet concepts of international law go back to Lenin's time and cease to hold sway around 1930. They are related to the fundamental principle of the withering-away of the State. Marx proclaimed the destruction of the bourgeois State and its replacement, at least provisionally, by the dictatorship of the proletariat. Even after this dictatorship, in the communist society once achieved and built, Marx recognizes «something of the State» ([5]). Engels on the other hand wished to relegate the State 'to the museum of antiques, along with the spinning wheel and the bronze axe' ([6]). Their successor Lenin, founder of the first communist State, attempted to reconcile these two points of view by distinguishing between two stages of Communism: the stage of transition and the stage of perfection ([7]). The first stage, i.e. the State under the form of the dictatorship of the proletariat, is already no longer a State in the strict sense of the word. In the second stage the State dies spontaneously. The first Soviet authorities on international law were faithful followers of Lenin and greatly in favour of his theory; they therefore took their stand clearly against the sovereignty of the State and against admitting that it had legal personality. The most brilliant and eminent Soviet author and outstanding representative of this period was Korovin, whose work *International Law in the Transition Period,* is eminently characteristic of the first Soviet concepts of international law. Korovin drew the conclusions from the political theses of Lenin appropriate to the legal field, and considered that the State is no longer a party in law and that Soviet society should no longer, strictly speaking, be consid-

([5]) Marx, *Critique of the Gotha Programma.*

([6]) Engels, *Origins of the Family, Society and the State.*

([7]) Lenin, *The State and the Revolution.*

ered as a State. It is the proletarians, both Russian and international, who, having dethroned the notion of the State, 'may in a way one day become the mouthpiece of the opinions and hopes of the proletarian and exploited classes of their country' ([8]). Consequently, the international recognition of the State, which is the condition of its international legal capacity in classical law, loses all value for the Soviets. The new Soviet society needs real and not juridical recognition. It wishes one day to become international and does not intend to be an element amoung other capitalist elements. Between Soviet society and the other States there exists no community of general interests, and this makes the Soviets hostile to any notion of arbitration. When asked whether it was impossible to find an impartial judge in the entire world, Litvinow answered: 'It must be pointed out that there is not one world but two: the Soviet world and the non-Soviet world, or if you prefer it: the Russian world and the non-Russian world'. This is why the Soviets reject the idea of any inter-state organization involving the abandonment of even a portion of their power. The territory of the State rather becomes an object of the law of collective socialist property. The new international law is therefore the law of a community which is in the process of organizing itself, that is to say a transitional law. And since the Soviets are nevertheless obliged to maintain relations with the rest of the world, these are determined by a sort of 'inter-systems law'. As the Soviet State is no longer a true State, there is no legal continuity between it and the Russia of the Czars either. This enabled the Soviets to escape paying the debts of the Czarist Government and to refuse to respect treaties concluded by the former regime. While the new Soviet State limited its relations with the international community to purely technical co-operation it was launching appeals, over the heads of Governments, to the international proletariat and also encouraging nationalist movements abroad. Such were the main line of the transitional conception of the law of nations among the Soviets of the early period.

([8]) Korovin, *International Law in the Transition Period.*

These notions began to be criticized around 1930. Korovin was reproached with having attempted to establish a new legal order based both on Soviet law and classical international law, and on a constant evolution of the latter. Korovin thus believed in an evolution of bourgeois international law and its transformation into a common international law for the capitalist and communist worlds. His sin in the eyes of the Soviets was to admit the possibility that the new law could be born from the old bourgeois law. He had therefore misunderstood how law based on the socialist revolution is elaborated and, it was said, had «come to terms with ultra-imperialism» by attempting to reconcile Lenin's theory of the State with the Soviet need to maintain normal relations with surrounding capitalism. Korovin has entered upon a path which finally led him to defeat and disgrace.

The most typical representative of the new soviet concepts of international law was Pasukanis, who published his *Essays on International Law* in 1935. In this work the State regains its place as the only party to international law, but its sovereignty does not for this reason recover its traditional scope. For Pasukanis the world presents a relation of forces in equilibrium, and law is no more than the expression and the legal form of this balance. The doctrine is thus one of legal formalism in which law is limited to a question of procedure. Pasukanis is also suspicious of international treaties and he is convinced that no treaty of non-aggression or neutrality signed by the U.S.S.R. with the capitalist States is in itself a guarantee against an attack on the Soviet Union. For Pasukanis universal international law is no more than a procedural expression of forces in equilibrium. Despite all its defects, this doctrine enabled the Soviet Union to enter into political and trade relationship with a certain number of States and even to join the League of Nations in Geneva. However, during the years 1936/37, Pasukanis' idea was criticized and finally abandoned. His fault was, on the one hand, that he attempted to borrow too much from bourgeois law and, on the other, that he reduced the rôle of law to simple juridical formalism. The debate was settled by two new factors of primary importance. First, Stalin's the-

sis on the possibility of achieving socialism in one country without the necessity or recourse to an immediate world revolution finally became the official doctrine of the Soviet Union and found expression in the so-called Stalin Constitution of 1936. Secondly, the rapid development of Fascist Italy and Hitler's Germany, the growing imperialism of these two States, and the imminent and ineluctable danger of a world conflict obliged the Soviet Union to resume the position of a strong and conscious State in the concert of nations. Law which was no more than the expression of a formal link between forces in equilibrium was no longer sufficient for the needs of the Soviet Union, which had to look for a stronger and more solid legal basis for its own security. Thus emerged, about 1937/38, the third Soviet conception of international law, wich enabled the Soviet Union to play a decisive part during the war and to become one of the chief founders of the United Nations in 1945. It originated in the work of Vyshinski and its main principles have remained valid up to the present day ([9]).

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The present soviet conception of the law of nations sees international law as «a body of norms regulating relations between States in the process of their rivalry, their struggle and their co-operation, which express the will of the dominating classes in these States, and which are guaranteed by the coercion exercised by the States separately or collectively» ([10]).

Thus both the class character of international law and the fact that sovereign States are the only direct and immediate parties to international law are clearly underlined. The sovereign State is therefore completely rehabilitated and the principle of state sovereignty is the cornerstone of the present Soviet

([9]) A detailed account of the development of the soviet conception can be found in J. Y. Calvez, *Droit International et Souveraineté en URSS,* and in I. Lapenna, *Conceptions soviétiques de Droit International Public.*

([10]) Krylov, *Recueil de Cours de l'Acad. de Droit Intern.,* vol. 70, 1947, p. 420.

doctrine on international law and of Soviet legal thinking. The sovereign State is the only party to international law and it is the will of States which creates the international legal order. This order — international law — is of complex character, since it has incorporated many elements from institutions anterior to the emergence of the U.S.S.R. while accepting the new norms which reflect Soviet legal thought. This being so, it lacks social homogeneity. The U.S.S.R. is a sovereign socialist State. According to Article 14 of the Constitution, «the representation of the U.S.S.R. in international relations and the conclusion, ratification and denunciation of treaties with other States are of the competence of the U.S.S.R. represented by the superior organs of power and the administrative organs of the State». The same holds good for «questions of war and peace», «external trade on the basis of State monopoly» and other questions of international legal character, such as those concerning the rights of foreigners. Under the terms of Article 13 of the Constitution, the U.S.S.R. is a federal State constituted on the basis of a union freely entered into by Socialist Soviet Republics which are equal in law. In conformity with Article 15 these federated Republics are sovereign. Each has its constitution, territory, citizens and the right to self-determination up to and including the right to secede from the U.S.S.R. (Article 17). Under the terms of the Constitution and the laws, the federated Soviet Republics are subject to international law and two of them, Bielorussia and the Ukraine, are members of the international bodies set up after the war. According to Article 49 of the Constitution of the U.S.S.R., the Praesidium of the Supreme Soviet ratifies and denounces international treaties concluded by the U.S.S.R. While they fully admit the principal of the sovereignty of the State, the Soviets nevertheless distinguish between juridical and formal sovereignty, which belongs to all States members of the international community, and effective sovereignty, which confers real rights and attaches only to the great States with a special part to play in the international community. This is why the Soviets are so jealous of the principle of unanimity in the United Nations Security Council and do not admit the possibility of being bound by a majority

vote of other States should this be against their interests. The principle of state sovereignty is always defended by the Soviets, whether it be a question of their territory or the inter-planetary space above it — any aggression against which constitutes a crime — or of any infringement of sovereignty or its abandonment, even partial. Hence their reticent attitude in the Disarmament and Atomic Energy Commissions. Along with the rehabilitation of the sovereign State in international law, we are also witnessing the rehabilitation of the recognition to be insisted on before a State may be admitted into the international community or acquire legal capacity. When a change of government occurs following a social revolution, the continuity of the State being ensured, it is only a question of recognizing the new government and not the State. This is why the Soviets today demand recognition of the Peking Government and not of Red China as such. It is thanks to this principle that they now admit the continuity of their State with Czarist Russia which Korovin denied. Kozevnikov, one of the Soviet internationalists, wrote on this matter in 1948: 'The great October revolution does not create, in the legal sense, a new party to international law. As in the past, Russia remains the party, it being understood, however, that it is from now on the new Russia, socialist Russia, which is meant' ([11]). The State exercises its sovereignty over a territory which is inviolable and intangible and which possesses total integrity. The peaceful annexation of territory is admissible, either by reason of historical rights, if these have long been exercised, even in the distant past, or after a plebiscite; the example of Western Poland and Triest are sufficient proofs of this.

By reason of the principle of state sovereignty, the Soviets are always opposed to the primacy of the law of nations. Vyshinski clearly proclaimed that international law is not placed above internal laws in the position of a superior juridical order and as the source of the internal juridical orders. He writes on this subject: 'A certain number of international jurists and legal theorists resolve this question in favour of the primacy of in-

([11]) Kozevnikov, *The Soviet State and international law*, p. 32.

ternational law, and affirm that this is the basis of all branches of international law whichever they may be' ([12]).

He is resolutely opposed to the famous thesis of Hans Kelsen on the primacy of the law of nations set out in the article *The pure theory of law and analytical jurisprudence* ([13]) and has remarked on this point that 'the theory of the primacy of international law presupposes rejection of the idea of the sovereignty of States' ([14]). According to the Soviets, there is no primacy of the law of nations but, on the contrary, a primacy of national law on which international law is based. The Soviets are therefore not dualists but monists who admit the primacy of national law. But the following essential fact must be emphasized in order better to seize the exact meaning and real scope of their concept: this primacy is no more than the primacy of the political, law in general being solely the instrument and the means of policy and completely subordinated to it. Since the juridical orders of pure law do not exist in the eyes of the Soviets, the classification of law into systems of national and international law is for them merely a technical question and does not involve different juridical orders or different immutable and abstract sources of law. This essential truth must not be lost sight of and it is idle to attempt to judge the Soviet doctrine by using concepts which with them have quite another meaning from the one they have in Western legal thought. Any attempt of this kind leads only to misunderstanding and confusion. The expression of Roger Pinto, who says that the relation between the two factors is one of causality and not of legal systems, seems to us fully justified ([15]). 'Between the external policy of a State and its internal policy there is an indestructible link and a well-defined reciprocal dependence' —wrote Kozevnikov ([16]). The manual of international law teach-

([12]) A. J. Vyshinski, *Questions of international law and international policy*, p. 472.

([13]) *Harvard Law Review*, November 1941.

([14]) A. J. Vyshinski, *op.cit.*, pp. 473-4.

([15]) R. Pinto, *Le droit international et la coexistence*, in *Journal du Droit International*, 1955, n° 2.

([16]) Kozevnikov, *The Soviet State and international law*, p. 14.

es that 'the internal policy of the U.S.S.R. also determines its external policy. It is impossible for the foundations of the U.S.S.R. as a State not to find expression also in external relations' ([17]). And Vyshinski concludes unambiguously: 'National law is the source and foundation of policy and of the modes by which the external relations of a given State with the other members of what is called the international community are settled. For every State external policy is the continuation of its internal policy but with other means. External policy necessarily expresses the same aims and the same tasks which a given State attempts to fulfil in accordance with its constitutional principles, i.e. according to the aims and tasks which it fixes for itselfs in its external policy, following the directing principle to which its constitution corresponds'([18]). The full scope of these principles will be appreciated when we realize clearly that the Soviets understand by policy not only policy in the strict sense but also the totality of the Communist ideological conceptions with all the imperialist aspects they involve vis-à-vis the non-communist community.

It is again by reason of the principle of state sovereignty that the Soviets admit only States as direct and immediate parties to international law. They do not grant this quality either to international bodies, such as the United Nations and its specialized agencies, to legal persons in national law, or to physical persons. International law is conceived of by them as a law created by the will of the States, which are the only parties to law. Membership of an international body in no way affects the principle of sovereignty, and no relinquishment of sovereignty, even partial, nor restriction of this concept in the sense given it by Politis and Kelsen, is admitted by the Soviets. Consequently, any attempt to establish an international law which could one day be set above the sovereign States as a higher order is absolutely incompatible with the soviet doctrine. 'The concept of world law, writes Krylov ([19]), both in the

([17]) Institut de Droit de l'Acad. des Sciences, *Le Droit International*, 1947, p. 9.

([18]) Vyshinski, *op.cit.*, p. 474.

([19]) Krylov, *op.cit.*, p. 435.

form of a world assembly and in that of the transformation of the UN into a World State, represents a Utopia which is reactionary in its essence and which pursues a specific aim — that of guaranteeing world supremacy to the respective capitalist groups. Such a concept is beyond all dispute in contradiction with the notion of sovereignty which is fundamental to contemporary international law'.

It is above all physical persons who are not direct parties to international law. The individual is only recipient of the provisions of this law ([20]). The Soviets have often emphasized, and continue to do so, that the rights of man are of the reserved competence of the State. In international practice, a great number of the measures aimed at defending the rights of man on the international plane, give rise to the objection that 'domestic jurisdiction' is excepted, i.e. to the clause of non-intervention in the internal affairs of State (Krylov) ([21]). Indeed the Soviets invoke the clause reserving the competence of the State in internal affairs in Article 2, Clause 7, of the United Nations Charter, to prevent any intervention by world public opinion in matters concerning the rights of man in the USSR. This thesis is related to the traditional concept of the State as the supreme organism of Society ensuring within boundaries the liberty of its subjects. The Soviets consider the question of the rights of their citizens as an internal matter which concerns them: hence all their dislike for an international pact guaranteeing the rights of man, the establishment of international tribunals to protect these rights, and any international enquiry either into the violation of the rights of man anywhere within the Communist world (for instance, Hungary) or free elections in Germany or elsewhere.

The Soviets are particulary suspicious and hostile towards the arbitration and the judgements of any international courts. For them there is always an insoluble link between law and policy, and they do not admit the perfect objectivity of a court whose judges belong to non-Communist nations. On the other hand the

([20]) Krylov, *op.cit.*, p. 448.
([21]) Krylov, *op.cit.*, p. 448.

Soviets do not admit absolute submission to the rules of law, which would sometimes be awkward for them and would oblige them to execute a judgment unfavourable to their cause. This is why they refuse competence to courts which decide on the basis of the idea of pure law. Nor do they concede the possibility, on the international plane, that the State may be legally bound and really obliged to respect legal norms or verdicts of courts which pronounce against it. For them, legality does not mean the respect by the State of principles and rules of conduct, but solely the obligation for the heads of subordinate state authorities to respect the rules laid down by the law. The suspicion they entertain for courts on the national plane is all the more manifest on the international plane, since here they may find themselves in a situation where they are unable to influence the judges. This explains both the essential mechanism of Soviet law and the fact that in international affairs the Soviets always prefer to seek a solution for disputed questions in conferences and direct political bargaining rather than see them laid before a court. 'It is true', writes Vishinski ([22]), 'that bourgeois jurisprudence is vigorously opposed to admitting a link between law and politics; it attempts to prove that the judge holds himself aloof from political trends and serves the pure concept of law, independently of political parties and of the exigencies of politics'. 'But', he continues, 'when you turn to the International Court to ask for an interpretation of the Charter, particulary with regard to divergences of opinion resulting from the different attitudes on this or that problem adopted by various delegations which are not inspired solely, nor even significantly, by juridical concepts, but by the political aims behind their activity in the general Assembly, you transform the International Court into a political institution, a branch of the General Assembly'. It is, therefore, difficult for the Soviets to regard a court as an impartial legal body and they always see in these verdicts a more or less camouflaged political act. There is something in this attitude of the suspicion of old revolution-

([22]) A. J. Vyshinski, *Questions of international law and international policy*, pp. 469-70.

aries towards courts — which guarantee acquired and individual rights — for the revolution has abolished practically all the rights of individuals and has, ipso facto, limited and weakened the scope of the organs of justice.

The principle of state sovereignty is also at the basis of the Soviet conception of the sources and definition of the law of nations. The only real and undisputed source of this law is in the international treaty by which two or more States have contracted reciprocal commitments. 'The Soviet State attaches great importance to the international treaty which specifies the mutual rights and obligations of the parties and whose starting point is their quality in law', writes Krylov ([23]). The treaty must bind the parties explicitly and must consequently be observed in an extremely scrupulous and literal manner — in other words, the strict application of the rule *pacta sunt servanda.* No liberal or extensive interpretation of the treaty is admitted any more than an interpretation or revision by an arbitral or judicial body, since this is contrary to the principle of the sovereignty of the State which concluded the treaty. The Soviets consider that the parties signatories to the treaty are bound in an explicit and exact fashion, and this is why they are hostile to the Anglo-Saxon theory of the useful effects of a treaty, i.e. the posibility of applying it even partially in a restricted field when circumstances have made its literal implementation impossible. Custom plays a very limited part in the Soviet concept. It can only be admitted if its object is strictly defined and specified and where it involves an obligation whose recognition by the State is beyond all doubt.

The principle of state sovereignty finds its expression in the rule of the right of peoples to self-determination, that is to the right to manage their own affairs. The internal Soviet law concerning Members of the various nationalities within the USSR was based on this precept. After the war it became one of the five essential rules of the soviet concept of international law. The Soviets preach this principle and make it the basis of their post-war international relations. Its corollary is the principle of

([23]) Krylov, *op.cit.*, p. 437.

non-intervention in the internal affairs of other peoples. Moreover, after the war the Soviets based their conception of international law on three principles: the principle of peaceful co-existence and its two corollaries — the principle of peaceful competition between countries with different social systems and the principle of the peaceful solution of international questions on which agreement had not been reached. These three principles, which are rather political principles than principles of international law in the strict sense, nevertheless give rise to certain legal problems, such as the respect in international politics of the rules of international law and the strict observance of non-intervention in the internal affairs of other peoples ([24]).

Such are the main lines of the Soviet concept of international law as found in the handbooks and legal works of theorists, in treaties signed by the USSR, and in declarations and announcements by politicians and statesmen. The Soviet conception does not apparently greatly differ from the classical doctrine of international law practiced by the sovereign States which are members of the international community and have created the international legal order, nor does it deny the mandatory force of the essential rule *pacta sunt servanda*. Nevertheless the Soviet conception is in fact very different from the present classical concept of international law, if it is judged objectively from the point of view of the dealings of the USSR as revealed in their acts and in the effects of these on the plane of international law. These acts are often contrary to the rules enunciated; for the Soviets science and law, even written law, are often no more than instruments of propaganda. Let us attempt to consider matters from this angle and reduce them to essentials.

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The impartial judge and patient observer of Soviet doings in the field of international law must always keep in view the

([24]) The soviet doctrine is set out in Tunkin, *Coexistence and international law* (Académie de droit intern., Recueil des cours, tome 95, 1958).

facts which stem from the Soviet conception of society and of law in general, i.e. the primordial rôle of the Communist Party, placed above the State in its capacity as law-creating element, instrument of policy and fountainhead of apparent legality designed to conceal illegality; the rôle of the State as supreme judge of good and evil, permitting it to do anything which furthers the building of Communism; the absence of natural law and of the effective natural rights of individuals; arbitrariness pushed to extreme limits; the despotic character of the regime and — finally — the Marxist dialectic which authorizes deviations from the truth and their consequences up to and including sophistry, so that the same phenomena may be judged in two ways, according to the circumstances and the persons involved.

Both in national and international law, there exists for the Soviets, above the sovereign States, a master who is really sovereign and who is unknown to the West: the respective communist parties or rather *the* Communist Party. In truth the communist parties in the satellite countries are enormously dependent on the party in the USSR so that, despite the abolition of the Komintern and despite official appearances, international Communism represents a homogeneous bloc directed by the Moscow Communist Party. The only fissure on the doctrinal level is that between the communist party in the USSR and the party in Red China. Moreover this does not greatly affect the principle of the homogeneity of this bloc nor the fact that it is directed from a single centre. Despite the principle of the legal independence and equality of the communist States and although, according to the Soviet concept of international law, the States in question are real parties to this law, this is not so in the case of other communist countries than the USSR or Red China. International treaties between communist States create only appearances and prove no more than the existence of a certain degree of international autonomy. In reality the communist world is a homogeneous bloc governed by one master and this is why, when speaking of the Soviet conception of international law, we speak of the communist world in its entirety, since any notion of international law other than that of the USSR is not tolerated among the satellites. Above the

communist States and above the international legal order there thus exists a decisive supra-legal factor which is unknown and absent in the West, i.e. the body of rules of the Communist Party to which the legal order is in fact subject. It is through the dependence of the communist parties vis-à-vis the Moscow Communist Party that the real grip of the USSR on its satellite countries operates, and this despite apparent rules of international law establishing an alleged legal equality between them. The right of self-determination of peoples and its corollary, the principle of non-intervention in the internal affairs of other States, which the Soviets preach and which they make the basis of international law, are constantly violated. The most flagrant example is that of the satellite countries, which are living proof of the permanent aggression of the USSR against them and the peoples within their borders and its brutal interference in their internal affairs ([25]). For 15 years the right to self-determination has been denied to ancient peoples with a long historical past in East and Central Europe where the Soviets installed their regime by violent means in 1944/45, despite their repeated affirmations during the war that they had no intention of exporting their system of government by force.

Among characteristic cases of interference in the internal affairs of other countries we may quote the direct interference in the election campaign in the United States, and in the affairs of Latin America. Wherever the Afro-Asiatic nations acquire independence the Soviets support the new governments even if they are national (for instance in Indonesia) or they attempt to install their indirect agents (in the Congo and Cuba).

Sometimes too the interference is indirect, for example through the intermediary of local communist parties which are no more than agents of subversion and constitute a veritable fifth column. Thus the principle of the inviolability of the territory of other countries is also infringed, a principle of such import for the Soviets that they consider the spying activity of the pilot Powers as an act of aggression although his aircraft

([25]) See: Titus Komarnicki, *The Satellite State — a Modern Case of Intervention,* Studies of the Association of Polish Lawyers in Exile in USA, 1956.

was not armed and although they themselves maintain legions of spies throughout the entire world. The right to secede of certain Republics or provinces, although written into the Constitution of the USSR, cannot in reality be invoked, for the individual rights both of peoples and of persons are purely verbal and inoperative. The attitude of the USSR in the 1956 crisis in Hungary — a State formally independent — gives a clear idea of the real significance the USSR attaches to this right. Thus the principles solemnly and frequently preached by the Soviets are either purely verbal or will be interpreted and applied differently according to their good pleasure and in arbitrary fashion. Outside the communist bloc the Soviets preach and acclaim the right of peoples to self-determination leading to their freedom and independence. This is the case inter alia for Algeria and the former African colonies. But the same right is vigorously denied within the communist bloc, as may be seen from the stand taken on German re-unification. The Soviets admit the right of Algeria to secede but deny the same right to Katanga and Tibet. Their behaviour is always dictated by the needs of the moment and by the interplay of concrete circumstances. The conclusion is easily drawn: the essence of law, i.e. the absolute reign of the legal rule is rejected by the Soviets and replaced by the imperatives of politics of which law is only an instrument. The same is true of their judgments. Thus the loyal, sincere and honest behaviour of Belgium in the Congo has incited them to formulate a judgment contrary to truth and to consider the withdrawal of the Belgian troups and the offer of independence as aggression. The essential requirements in arriving at a judgment, i.e. objectivity and serenity, are also replaced in the case of the Soviets by arbitrariness pushed to extreme limits. They do not consider law as a rule of conduct possessing obligatory force but, on the contrary, as a purely verbal rule whose function is to create appearances, a rule which they interpret and apply in arbitrary fashion. All this inevitably leads, not only to confusion and contradiction, but also to ambiguity and duplicity and, consequently, to uncertainty and a total lack of confidence in international relations. In this respect it should be noted that their

attempted intervention in the Congo was condemned by the General Assembly of the United Nations on 20 September 1960 by 72 votes and 11 abstentions. The whole world and, in particular, the new African States had understood the Soviet manœuvres and showed their opposition to any Soviet interference in the international affairs of other countries. The way in which international treaties are respected by the Soviets supplies a further example of their attitude. We have seen that under the soviet concept treaties are the most important source of international law and must be observed in an extremely scrupulous and literal fashion. But this rule, which is so admirable and constructive for international law, is only binding to the extent that the Soviets consider it useful to observe it. When they wish to denounce a treaty which they consider awkward at a given time, the Soviets invoke the right to annul treaties which, because of changed circumstances, have lost their raison d'être. The question at issue, therefore, is the interpretation of the clause *rebus sic stantibus*. The Soviet doctrine is careful not to give any exact details on the nature and degree of the changes in external circumstances which justify the annulment of treaties. There are thus no precise rules in the matter and it is impossible to do more than observe their constant practice. As examples of unilateral annulment the following may be quoted: the Soviet-Finnish non-aggression pact of 21 January 1932 (annulled on 27 November 1939); the Soviet-Japanese neutrality pact of 13 April 1941 (annulled on 5 April 1945); the Soviet-Yugoslav treaty of friendship and collaboration for the post-war periode concluded on 11 April 1945 (annulled on 28 September 1949); the Anglo-Soviet alliance of 26 May 1942 (annulled on 7 May 1955); the Franco-Soviet treaty of alliance and mutual assistance of 10 December 1944 (annulled on 7 May 1955), etc.

The widest interpretation by the USSR of the clause mentioned took place when, on 17 September 1939, i.e. sixteen days after Hitler's aggression against Poland, it annulled the Soviet-Polish non-aggression pact of 1932 and the 1933 Convention defining aggression. Very characteristic is the justification for this annulation presented by Molotov. In a speech over Radio

Moscow on 17 September 1939, he stated: 'Scarcely two weeks have passed and Poland has already lost its industrial centres, the majority of its great cities and cultural centres. Warsaw no longer exists as capital of the Polish State. Nobody knows the whereabouts of the Polish Government... The Polish State and its Government have ceased to exist de facto. By reason of this situation the treaties concluded between the Soviet Union and Poland have lost their value'. A few weeks later, on 31 October 1939, Molotov, reporting to the meeting of the Supreme Soviet of the USSR, declared: 'A fact such as the military defeat of Poland and the ruin of the Polish State must be underlined. The governing circles in Poland were not a little proud of the 'permanency' of their State and of the 'power' of their army. However, a brief attack on Poland, first by the German Army and then by the Red Army, sufficed for nothing to remain of this monstrous offspring of the Versailles Treaty' ([26]). Ivo Lapenna notes in this connection: 'Thus the official soviet concept considered as a change of circumstances the case of the temporary occupation of a State by the army of another State in the course of the war, which is called by Molotov 'de facto cessation of the existence of the State'. And this even when one of the contracting parties with the aid of his armed forces is himself helping to change the 'circumstances' in the direction desired'. It seems to us, indeed, that it is difficult to imagine a 'wider interpretation' of the clause *rebus sic stantibus*. However, the 'Manual of International Law' of the Academy of Sciences of the USSR prints the following judgment on the 'wide' interpretation of the clause: 'such an interpretation of the clause referred to has been exploited by agressor States to justify their brigandish external policy' ([27]). We quote this example not only because the behaviour of the Soviets in August and September 1939 in favour of Hitler was at the origin of the second World War, but also because the Soviet Premier during his visit to France in the spring of 1960 saw fit to pronounce an extremely favourable judgment on Stalin for his machina-

([26]) Quoted from Ivo Lapenna, *Conceptions soviétiques de droit international public*, Paris, 1954, p. 275.

([27]) Lapenna, *op.cit.*, pp. 275-6.

tions against Poland in 1930 and to justify the aggression against that country ([28]). The tendentious interpretation of the clause *rebus sic stantibus* has also enabled the Soviets to torpedo great international conferences, to wit the so-called Summit Conference in May 1960 in Paris and the Conference of the Disarmament Commission. This latter failed after long months of deliberation and after the Soviets had refused to accept the principle of continuous and efficacious disarmament control. In fact the Soviets would like to reconcile control with the principle of state sovereignty, which is a vicious circle. They are opposed to any real control, which they consider as a sort of legalized espionage. They thus refuse the establishment of an autonomous international system of disarmament supervized by the international bodies. It is also the *rebus sic stantibus* clause which is at the bottom of the reasoning behind Soviet threats to conclude a separate peace with the German Democratic Republic and against the statute of West-Berlin. According to the Soviet thesis, once a peace treaty is signed with the German Democratic Republic, West-Berlin will automatically become a part of that State, so that the Western Allies will be obliged to leave the city. However, this point of view is completely erroneous and is an attempt to lead world public opinion astray. It is true that the German Democratic Republic, although several States do not recognize it, is a party to international law ([29]). But it is equally true that Berlin has never been a part of the Soviet Zone. Under the agreement signed in London on 12 September 1944 by the USSR, the United States and Great Britain, Berlin was made a separate zone, destined to be occupied jointly; the allied military forces have remained in Berlin without abandoning the rights deriving from the military defeat of Nazi Germany. The Western Allies are therefore in Berlin under the terms of an agreement to which the USSR also put its signature. Furthermore, the German Democratic Republic has never included the territory of West-Berlin. This being the state of affairs it goes without saying that the legal status of West-Berlin

([28]) *Figaro* of 28 March 1960.

([29]) R. Pinto, *Le statut intern. de la R.D.A.*, in *Journal du Droit Intern.*, 1959, n° 2.

cannot be unilaterally altered by the USSR and the German Democratic Republic without infringing the principle of the scrupulous observance of treaties. The arbitrariness of the Soviets is manifested in striking fashion in their refusal to consider the rights of man as being a matter for international law. On this point they are very categorical: they consider the question as purely a matter for national law. This attitude is dictated by political imperatives. A State which, in fact, has abolished all the individual political rights of its citizens cannot admit their dependence on international law without automatically jeopardizing the regime and without depriving its own courts of the rôle of oppressor in political cases. Internationalisation of the rights of man presents a mortal danger for the Soviet regime since it would create a way by which a free system could creep in. This is why the Soviets are always against any internationalisation of these rights despite the irreversible and inevitable progress of this trend in the modern world ([30]). The Hungarian question is the most striking example. Notwithstanding the decisions of the U.N. General Assembly, the special representative of that organization for the Hungarian question, Sir Leslie Munro has not yet, after more than four years, been able to go to the scene to carry out his mission, and this despite communications which he has addressed to this end to both the Hungarian and the Soviet Ministers of Foreign Affairs ([31]). The frontiers of the Communist bloc remain closed to any control of flagrant violations of the rights of man. Yet the liberty of the peoples behind the Iron Curtain and the crimes of the Soviets in Hungary in October 1956 interest all humanity and constitute the common cause of all men of goodwill irrespective of frontiers and political systems. The higher the state of mind and the level of human culture, the more the idea of the internationalisation of the rights of man comes to the fore in the modern societies of the free world as a natural idea, independent of the will of human beings. It is with complete knowledge of this cause that the Soviets are opposed to a

([30]) See on this subject the excellent study of Rommen, *Towards the Internazionalization of Human Rights,* in *World Justice,* 1959-1960, vol. I, n° 2.

([31]) *United Nations Review,* ninth year, 1 May 1960, n° 4.

higher international law on a world scale, for they perceive the danger of being submerged by liberal tendencies both on the international plane and on that of their own internal policy. For this reason they consider the veto right in the United Nations Security Council as a cornerstone of the international legal order, although this rule is contrary to the existence, development and efficient operation of a homogeneous and organic legal community for which the precept of majority rule is absolutely indispensible.

However, the Soviets would gladly champion a world law on condition that it where the law of international revolutionary Communism established throughout the world. It is by peaceful coexistence that they count on achieving their ends. The most widespread and fashionable precept of the Soviet concept for the last ten years has been that of the peaceful coexistence of States, living under two different economic and social systems. This is the rule for the era of nuclear weapons. It deserves to be treated with great attention and thoroughly analyzed. Soviet political doctrine has long been spreading it. In 1931 already, Dimitri Manuilsky was teaching: 'War to a finish between Communism and Capitalism is inevitable in the future. It is certain that today we are not strong enough to attack. Our time will come, in twenty or thirty years. It will be necessary to put the bourgeoisie to sleep and to corrupt them. Then we will begin to launch the most spectacular peace movement ever seen. There will be astonishing offers and unexpected concessions. The capitalist countries, stupid and decadent, led by élites corrupted or fooled, will be happy to co-operate in their own destruction. They will seize the chance to be friends and as soon as their defence is down we will crush them with our clenched fist' ([32]). Although today the Soviets are lavish with appeals for peaceful coexistence, it does not seem that much has changed in Manuilsky's programme. If the Chinese are preaching the inevitability of war — thus finding themselves in opposition to their Russian allies at the Bucarest Con-

([32]) Dimitri Manuilsky, *Course of lectures in 1931 to the Lenin Politico-Military Academy*, Moscow.

ference of Communist Parties in June 1960 — this only goes to prove that they are more downright than the Russians, who are craftier in this matter. At the very time when the official Soviet doctrine is making of the principle of peaceful coexistence the basis of its conception of international law, Ilitchev, the supreme head of Soviet propaganda, writes in the November 1959 issue of the New International Review (pages 16-17): 'Anyone who thinks that peaceful coexistence excludes struggle understands nothing of the laws of the evolution of Society. Let the chatterboxes and other mischief-makers waste their breath; peaceful coexistence between ideologies is no more possible than is or ever will be possible the reconciliation of light and darkness'. Here the real signification of the principle of peaceful coexistence is set out with complete frankness. In fact this principle serves to conceal the veritable intentions of international Communism and its imperialism — perhaps the first truly universal imperialism in history. It also proves that the Soviet method is unchanged, consisting now as always in attributing to the adversary one's own designs, reversing the rôles and distorting the facts. The whole enormous apparatus of propaganda, M. Khroutchev's trips abroad and his spectacular declarations before the United Nations are all designed to lead world opinion astray. Day and night, by thought and action, he and his collaborators work with cunning and perseverance for the world triumph of Communism. 'Every problem, every situation — Berlin, Geneva, friendly visits, cultural exchanges — everything is put to use for a single purpose: world revolution', wrote Cardinal Cushing, Archbishop of Boston, authoritatively and pertinently in the article *What is behind the visit ?* published by the *Boston Pilot*. A few months after these words were pronounced, M. Khroutchev admitted that he wished in his own lifetime to see the red flag flying over the whole world. As things stand the principle of peaceful coexistence reserves for the Soviets the right to impose their rule without let or hindrance in their own sphere while resorting to every means to spread communist propaganda and foment revolutions and internal crises in all the countries of the free world. M. Gomulka, the most 'liberal' among the communist leaders,

admits frankly that the strategic aim of the policy of peaceful coexistence is the victory of socialism over capitalism. It has nothing in common with the principle of genuine and sincere co-operation between nations as advocated by the President of the United States at the Fifteenth Session of UNO.

It is therefore not the conception of international law which influences the foreign policy of the USSR but, on the contrary the necessities of policy which influence the Soviet conception of international law ([33]) and — above all — its interpretation and the manner in which it is applied. But is there, despite everything, a concept of justice hidden in this conception, a sort of renewed natural law ? On this point J. Y. Calvez gives the following reply: 'No, if by natural law is understood a philosophic and abstract law based on the characteristics of an essence in Man. If, however, we mean by natural law the objectice and absolute content of a law, then the concept of justice professed by the Soviets is indeed a concept of natural law' ([34]). We share only partly the opinion of this eminent author. It is true that because of the imperfect nature of every written law jurists have always to look for a legal basis outside it, and therefore, seek this in natural law. The Soviets are no exception to this rule. However, if the Soviet conception of international law is judged in the light of the doings of the Soviet State, which is the only party to international law, it is difficult to discern any tendency on the part of the Soviets to advocate that they themselves should be bound by the objective aspect of this law.

The Soviet conception of international law as seen in its main outline is the servant neither of the idea of law nor of that of human progress. The debasement of law to the level of a simple instrument of policy and the despotic and impersonal character of the Soviet regime strip the phenomenon of law in general and of international law in particular of all its essen-

([33]) See on this point the excellent study of J. Y. Calvez, *L'influence des conceptions soviétiques du droit des gens sur la politique étrangère de l'Union Soviétique,* in *La Politique Étrangère et ses fondements,* pp. 291 et seq.

([34]) *Op.cit.,* pp. 317-18.

tials. Modern international law is tending to transform itself into a higher juridical order above national juridical orders, to create a homogeneous and organic international community and to limit national sovereignties in favour of the competence of that community in all matters relating to Man's cultural heritage — in short to internationalise the natural rights of man. The Soviets are opposed to these ideas and their conception presents an opposing tendency. At the root of the modern conception of international law are to be found the essential principles of European civilization: Greek intelligence, Roman order and Christian spirituality, principles for which the Soviets have nothing but profound contempt, since the foundations of their despotic conception are of Asiatic origin. The conception of law without the imponderables of Justice and Morality, a conception which is purely materialistic and empty of any spiritual or deeply human meaning, is contrary to the agonizing desire of Humanity to preserve a civilization, moral rules and a conception of human dignity, and life lived on a human scale in brotherhood and justice. Moreover, a conception which has evolved to the point of denying — through the sovereignty of a strong and totalitarian State of a size never before known to History — its own initial philosophy, which foresaw the withering-away of the State, is not worthy of consideration. The morals and customs of the Soviets, based on dishonesty, aggressiveness, the breaking of promises made and engagements entered upon, are regarded with profound distrust and deep disquiet. Their abusive interpretation of the *rebus sic stantibus* clause makes it impossible to see in treaties signed by them anything more than purely temporary arrangements. Having climbed into the wide international stage at the end of the second World War as co-founders of the present international community, the Soviets have adhered to this community with diametrically opposed intentions to those of the other nations. Moreover, they occupy a place with distinguishes them completely from the other so-called United Nations. Alas, the international community is made up of States as they are and not as they should be. The traditional precept of international law admits recognition of a State on condition that it exercises

its authority over a population of whom the majority accept its system of rule.

In the case of the USSR this precept has only purely theoretical value. Here perhaps lies the tragedy of Humanity and the crucial point of the system of international law. This question of the acceptance of the system of government is above all crucial for the Soviets and for their conception of international law, since they opposed a constant, unshakeable refusal, which is inherent in their doctrine of human society, to any consideration of the rights of man as being of the competence of international law. But freedom is one and indivisible; its concept and that of the rights of man are the same on the banks of the Seine and on those of the Vistula or the Volga. These concepts are of universal scope and they concern the cultural heritage of all human beings, hence the strength with which their rays penetrate through every barrier. The liberty of men, who are God's creatures, and their spiritual development are at the same time imperious commands of ethics and the most important factors of human progress and social justice. This liberty and this spiritual development, internationalised and extended to the whole of Humanity will determine world progress, the flowering of the idea of law and the maintenance of peace with Justice.

THOMAS J. BLAKELEY

Events and Trends

COMMUNISM IN THE SOVIET UNION AND EAST-EUROPEAN COUNTRIES

That World-Communism has a direct bearing on international social justice seems to go without saying. And, it seems further evident that those who are interested in international social justice, in order to better understand this direct bearing, should be better informed on World-Communism's nature and activities than is the average person. Therefore, this first account of the state of our knowledge on political, sociological, economic and jurisprudential phenomena in the Soviet Union and the European members of the 'Socialist camp' will be limited to the more significant, general works which have appeared in the last four years. Only those works in Russian which are fundamental to the four aspects named above are included. All the others are available in English, French or German editions.

General Works on Soviet and East-European Communism

The standard work for a basic knowledge of all the varied aspects of Communism wherever it be found is the '*Handbuch des Weltkommunismus*' (Handbook of World-Communism) (1). The most accurate description of the 'Handbook' was given by the Soviet reviewer who called it 'the 'bible' of contemporary anti-Communism' (2), for it contains a complete account of

(1) Bochenski, J. M., Niemeyer, G. (ed.), *Handbuch des Weltkommunismus*, Freiburg, München, Alber, 1958, XVI-762 S, 24.80 DM.

(2) In *Kommunist*, 1959, n° 4, p. 154.

World-Communism, written by experts and presented in a readable style and handy form. The fifteen chapters are: Formal Structure; Philosophic, Sociological and Economic Principles; Political Principles; The Party; Methods of Conquest and Rule; Nationalities; Law; Crime and Punishment; Economy; The Peasantry; Literature, Art and Science; Religion; The Individual; Criticism. Perhaps the most unique feature of the 'Handbook' is the fact that the material of each section is presented in a tripartite division: Slogans, Theory and Practice. Thus, for example, according to the slogans Communism is dedicated to the ideals of the right of self-determination, the liberation of suppressed peoples and peaceful coexistence; Marxist-Leninist theory demands Communist domination of the world; and, by Soviet practice since 1918 some four million square miles and 167 million people have come under Communist colonization.

The distribution of text, method of quoting and arrangement of the bibliography are such as to make the 'Handbook' an easy to use reference work. The main affirmations are printed in large type while further explanations are in small type and the quotations are in italics. Full information on the source of each quotation follows the text in parentheses so that no time is lost in referring to an index. The bibliography is arranged according to chapters and, although the editors say that they make no claim to completeness, it is evident that the bibliography contains all the more important works on Communism, published up to 1956. It is unfortunate that in a book which works so extensively from first-hand sources that the system of transcribing Russian in the main body of the book differs from that used in the bibliography. This and certain shortcomings in the section on law and crime and punishment will certainly be remedied in the second edition of this interesting and highly useful contribution to the literature on Communism.

'*Sowjetbuch*' (Soviet-Book) ([3]), although more limited in scope than the 'Handbook', is a very useful complement to it. Prof. Koch and his collaborators have presented to the general public in a handy reference form all the facts and figures on the Soviet

([3]) Koch, H. (ed.), *Sowjetbuch*. Köln, Deutsche Industrieverlag, 1957, 684 S.

Union, its people and their activities. The three major sections of the book are: Soviet Information, Soviet Leaders and Soviet Books. The first section describes the geography and demographic make-up of the Soviet Union; gives a short history of Tsarist Russia and the important dates in the history of Soviet Russia; describes the Communist Party of the Soviet Union and the theory of law and state according to which it is run. The heart of the section is a detailed picture of the economic situation. The final chapter is a rather perfunctory treatment of religion and culture. Although the chapter on economy is noteworthy for the great amount of information it gives, the section as a whole is rather amateurish in comparison to the corresponding sections of the 'Handbook'. For example, even though the author of the chapter 'Dialectical and Historical Materialism' recognizes his debt to Wetter, Bochenski and Th. Andreas, this is no reason why the text should read like an unassimilated conglomeration of sentences taken from these various authors.

The second section details the structure of the Communist Party, the Soviet government, economy, jurisprudential system, army, diplomatic corps and religious organizations. But the real contribution of this section is a 200 page list of the names of the most prominent Soviets with available biographical data. In the third section a rather complete list of literature on Communism is given along with short comments on the content and usefulness of each work. All in all, 'Soviet-Book' is a useful addition to the literature on Communism even if its principal value lies in its being a good complement to the 'Handbook'.

The '*Taschenbuch des Kommunismus in These und Gegenthese*' (Pocket-Book of Communism in Thesis and Antithesis) ([4]) contains 43 entries (e.g. annexation, coexistence, democracy, freedom, materialism, state) arranged in alphabetic order and provided with a complete subject-index. In this easy-reference pocket-book of the basic terms of Communism a comparison of life under Pankow with that in Germany shows how the same terms have diametrically opposed meanings under Communism

([4]) Salter, E. J., Stein, M., *Taschenbuch des Kommunismus in These und Gegenthese*. Bad Godesberg, Hohwacht. 1959, in-8, 251 S., 4,80 DM.

and under other forms of government. Although the examples used deal exclusively with the German form of Communism and the German form of democracy, the semantic ambiguity catalogued in this short but concise book is typical of Communism in whatever form it is found and points up the danger latent in accepting Communist propositions at their face-value. 'Fore-warned is fore-armed' is especially pertinent when it comes to recognizing that the 'freedom' promised by Communist 'democracy' is an 'insight into necessity'.

Along the same lines but in a more scientific, less popular, form is Carew Hunt's '*A Guide to Communist Jargon*' ([5]). The 50 entries of this dictionary are arranged alphabetically but the easy style in which it is written make it more than a simple reference work. Thus, for example, the entry on aggression also defines the Communist conception of the just and unjust war. The book is further removed from the class of reference works by the fact that its three-page index is very sketchy, not including, for instance, any reference to just or unjust war. In spite of this rather serious deficiency, this book is a must for one who would have a basic knowledge of Communism.

In '*Theorie, Taktik, Technik des Weltkommunismus*' (Theory, Tactics and Technique of World-Communism) ([6]) Professor Hans Koch has done an inestimable service to Sovietology. The book contains 1172 quotations (from Marx, Engels, Lenin, Stalin, Malenkov and Khrushchev), systematically arranged and provided with a very satisfactory index. The six major sections of

([5]) Carew Hunt, R. N., *A Guide to Communist Jargon.* London, Bles, 1957, 169 p. *Wörterbuch des kommunistischen Jargons.* (Herderbücherei) Freiburg, Herder, 1958, 156 S.

Shortly after the death of Mr. Carew Hunt his last book, '*Books on Communism*' (London, Ampersand, 1959, 333 p.), appeared. It is a bibliography of the period 1945-1957, containing some 1500 titles arranged by subject and by country into 52 sections. The usefulness of this significant work is enhanced by the ample index and by the fact that for each entry there is a short description and appreciation. The book is an eloquent testimony to the loss which Sovietology suffered through the death of the author.

([6]) Koch, H. (ed.), *Theorie, Taktik, Technik des Weltkommunismus. Eine Zitatensammlung von Marx bis Chruschtschow.* Pfaffenhofen/Ilm, Ilmgauverlag, 1959, 504 S.

the book are: Theory of Society, Tactics of the Party, The Technique of Revolution, State and Politics, Economy, Superstructure. Each of these sections is further subdivided; The Technique of Revolution, for example, includes: Class-Conflict, Revolution, Dictatorship of the Proletariat, World-Revolution and World-Communism. Within each of these the quotations are arranged in chronological order and those of Lenin and Stalin have references to both the German and Russian sources. Such an arrangement makes immediately evident the evolution from the thought of Marx, through that of Engels and Lenin, to that of current Marxism-Leninism. Thus, in the section on State and Politics, the reader can trace the 'dying-away of the state' as it dies gradually away into an indeterminate future. The interest and utility of this collection of quotations far exceed those of other works of the same type and make it a desideratum for the library of anyone interested in questions of Communism.

Since the October Revolution, World-Communism has spread over vast areas of the globe and makes no secret of its intention to spread farther. A knowledge of how the conquests effected up to now have been achieved is indispensable if we wish to successfully curb further Communist expansion. '*Die Methoden des sowjetischen Imperialismus*' (The Methods of Soviet Imperialism) ([7]) provides just such an analysis of the ways and means of Communist conquest. In 156 pages the author has put the essentials of Soviet political practice at the reader's disposal. Analysis of the numerous cases of Soviet conquest — from the violent seizure of the Baltic States to the 'peaceful' formation of the satellite system — leads the author to conclude that there are five major phases to the technique of Soviet expansion: military occupation with establishment of 'provisional' regimes in which Communists are given key positions; these Communists use their positions to undermine the democratic parties of the country; persecution and violence eliminate parliamentary opposition and establish a 'united front' with a Communist majority; 'one-list' elections give the Communist regime the appear-

([7]) VON TOBIEN, H., *Die Methoden des sowjetischen Imperialismus*. Bonn, Köllen, 1955, 156 S.

ance of democratic legitimacy; finally, the country is absorbed by the Soviet Union or integrated into the 'Socialist camp'. The establishment of the SED (*Sozialistische Einheitspartei Deutschlands* = the Communist Party of the Soviet sector of Germany) and the Pankow regime serve as model case of the working of this process and an appendix of samples of Soviet treatybreaking documents the history of Soviet treachery. This excellent methodological analysis of Soviet expansion finds a historiographical counterpart in Wolfgang Wagner's '*Die Teilung Europas*' (The Partition of Europe) ([8]). The author distinguishes three phases in the expansion of the Soviet empire: reconquest of seceded portions of former Tsarist territory (Georgia, Armenia, etc.); seizure of the Baltic States, Bessarabia, etc., as result of secret pacts with Nazi Germany; occupation and subversion of Poland, Czechoslovakia, etc., made possible by treaties broken with Nazi Germany and agreements made with the Allies and then totally ignored by the Soviet regime. Soviet expansion is thus traced as a historical phenomenon which resulted in the division of Europe at the Elbe River. Perhaps the most interesting point of this historical analysis is the description of Soviet occupation after World War II as political and military in contradistinction to that of the Allies which was almost exclusively military. Thus, whereas the Allied control commissions were, in theory and in Allied practice, simply to establish and maintain order until local democratic regimes could be established, for the Soviets they were to be used as means of setting up Communist governments by force and of violently snuffing out any democratic resistance, wherever (as in Czechoslovakia) this could be done by lulling the Allies with assurances that things were being done 'democratically'. It is interesting to note that the author attributes Soviet success to two naivetés on the part of the Western powers, principally Britain and the United States. First, there was an underestimation of the vitality of the theory of revolution of Lenin and Stalin — Western officialdom refused to recognize that, when the Soviets said they would use the war to further the spread of a new social order apt to end ex-

([8]) WAGNER, W., *Die Teilung Europas*. Stuttgart, DVA, 1959, 242 S.

ploitation, etc., the social order in question was that of Communist (read Soviet) domination. This was at the beginning of Soviet-Allied cooperation. Similarly, by the end of the war, the Western powers had let themselves fall into the dangerous daydream of accepting the Soviet Union as 'any other country', wishing only to have peace, to protect itself from attack and having no territorial ambitions. Some twenty years of constant tragedy in Poland, Czechoslovakia and other provinces of the Soviet empire have showed the West how wrong it was on both points — the ideological commitment to World-Revolution was still as vigorous as ever and the Soviet Union had not become just like any other nation, it remained the 'Socialist fatherland' of this World-Revolution. Mr. Wagner's book, then, far from being a simple narrative of historical fact, goes on to raise the very vital question: can the Western world bring itself to recognizing the fact that the Soviet Union is a new sort of political entity and that Soviet imperialism is a new form of domination in time to prevent Communism from attaining its objective ?

Ullrich Rühmland's *'Mitteldeutschland'* (Middle-Germany) (*) is a fascinating case-study in Soviet conquest, domination and repression. Fascinating because the author gives a documented and detailed description of the successive realization of the five phases of Soviet conquest to which von Tobien concluded. The book begins with a geographic, demographic and historical description of the five (as of 1945) sections of this part of Germany: Mecklenburg-Vorpommern, Brandenburg, Sachsen-Anhalt, Sachsen and Thüringen. Then the author treats in great detail the occupation, subversion (with the establishment of the SED), elimination of the other parties, use of mass-organizations, militarization, ideological repression, economic integration into the Communist bloc, and Pankow-Bonn relations. Although the book deals *ex professo* only with the Communist portion of Germany, it brilliantly illustrates the actual implementation of the classic Communist strategic principles and tactical methods such as the 'united front' and the use of any and all weapons.

(*) Rühmland, U., *Mitteldeutschland. 'Moskaus westliche Provinz'*. Stuttgart, Vorwerk, 1959, 353 S.

It is not too much to say that this 'Handbook' of Communist-controlled Germany should be required reading for the it-can't-happen-here crowd. In any case, Rühmland's 'Middle-Germany' will, without any doubt, be the standard work on the Communist take-over and occupation of East-Germany for many years to come.

Special Questions of Communism in the Soviet Union and Eastern Europe

An amusing booklet entitled '*Soviet Handbook 1959-1965*' ([10]), published by the Soviet propaganda outlet in Great Britain, gives the 'facts' and 'figures' on the Krushchovian seven-year plan and will provide the necessary comic relief for the reader who wants to go on to Karl Krüger's '*UdSSR*' (USSR) ([11]). Lacking in this book is only the unity which would make it a book rather than a simple collection of articles by eight specialists. This lack is evident even in Professor Krüger's preface where the various articles are introduced without being integrated. Nevertheless, the book does succeed in conveying to the reader a clear idea of the economic structure, capacity and development potential of the Soviet Union. The authors are obviously men who know their field and the division of labor has resulted in the following sections: The Structure and Function of Soviet Economy; The Mechanics of Rule; The Regions; Transport, Agriculture; Conservation; Minerals; Electricity; Atomic Energy; Industry; Income, Taxes, Prices; Commerce; Intellectual Currents; Public Life in the Soviet Union. The bibliography is small but select for economic questions and the book contains many useful maps and many not too useful pictures. Perhaps the most noteworthy fact about it is that the authors are not only experts in their fields but are also people who have done on the spot research on the questions with which they deal.

([10]) *Soviet Handbook 1959-1965. Statistics and Data Relating to the Soviet Seven-Year Plan.* London, Soviet Booklets, 1959, 70 p.

([11]) Krüger, K. (ed), *UdSSR. Unser Wissen über die Sowjetunion.* Berlin, Safari, 1957, 615 S.

Typical of the many highly specialized but very informative investigations of Communist phenomena is Jan Wszelaki's '*Communist Economic Strategy: The Role of East-Central Europe*' ([12]), which is part of a series with the rather puzzling title: 'The Economics of Competitive Coexistence'. The main portion of the book is a well-written and fully documented presentation of the economic facts on East-Central Europe (Albania, Bulgaria, Czechoslovakia, East Germany, Hungary, Poland and Rumania). In four parts are treated: The Trade Potential of the European Dependent Area, Economic Relations with the Soviet Union, Economic Relations with Other Socialist Countries, East-Central Europe in Competitive Coexistence. The conclusion avoids universal statements and bold prognoses while indicating the dominant trends in Communist economic integration, its importance for the West, and eventual effects on the newly independent countries.

Commentaries on the 'de-Stalinisation' and its effects, probable or actual, on Soviet society and policy formed a great part of the literature on the Soviet Union during the past four years. These vary in quality from serious, scientific studies through intelligent journalistic analyses to common journalism for mass-consumption.

An example of the first type is Ruth Fischer's '*Die Umformung der Sowjetgesellschaft*' (The Transformation of Soviet Society) ([13]), an interpretation of political events in the Soviet Union and the Communist bloc since the denunciation of Stalin. The first part, 'State and Party', tries to establish the significance of the resurrection of the party, the liquidation of the secret police and the conflict between Khrushchev and Malenkov; the second section, 'Economic Planning and Governmental Power', offers a short consideration of the historical background; the agrarian reform, the frustration of the chiefs of industry, and the position of the unions. The author concludes that the essence of 'de-Stalinisation' lies in Khrushchev's effort, as a party-man,

([12]) Wszelaki, J., *Communist Economic Strategy: The Role of East-Central Europe*. Washington D.C., NPA, 1959, 134 p.

([13]) Fischer, R., *Die Umformung der Sowjetgesellschaft. Chronik der Reformen 1953-1958*. Düsseldorf, Diederichs, 1958, 100 S.

to dislodge the powerful captains of industry who had taken advantage of Stalin's long reign to carve extensive empires for themselves from the so-called socialized industrial complex of the USSR. And, the author sees the further background for this conflict in the fact that under Stalin centralism was the order of the day both in the party and the government; Khrushchev's move is to disarm the governmental apparatus in favor of a strongly centralized party. That this is possible in the Soviet Union where the party is well installed is Khrushchev's gamble. But, as far as the Communist bloc is concerned, the author maintains that as long as the parties in the bloc are weak, Khrushchev must maintain Stalinism, i.e. centralism, at least in its economic form. This book is a very interesting attempt at the interpretation of recent Soviet policy but one has the impression that the author attempted to do a little too much in a mere hundred pages.

Typical of serious journalism in this context is '*Khrushchev's Russia*' ([14]) by Edward Crankshaw, author of several books on Soviet Russia. In four well-written chapters (The Size of the Problem, Stalin's Heirs, New Policies: New Methods, The Great Thaw) we find a careful observer's analysis of the problems Khrushchev met as Stalin's successor and as the man who had to drive the Soviet Union forward. Most interesting in this context is the author's evaluation of Khrushchev's character in relation to the problems facing him as leader of the USSR. It is unfortunate that the author did not content himself with these interesting and informative sections. He is somewhat like the butcher who decided to take up medecine because he knew how to use the knife when he says in 'What is it All About ?': 'Often in the past I have been criticized for refusing to put the official Marxist-Leninist ideology into the fore-front of Soviet society and life. I should take more notice of this ideology if anyone could tell me what it is — other than an impressive doctrinal rag-bag full of bits and pieces of ideas and feelings (above all, feelings), some of them constructive and good, others plain bad, others simply silly' (p. 141). The people who could

([14]) Crankshaw, E., *Khrushchev's Russia*. London, Penguin, 1959, 175 p.

tell him what it is are, of course, Bochenski, Fetscher, Kline, Lange, Wetter, etc. But, it seems that Mr. Crankshaw's main trouble is not in accepting the real influence of ideology but, rather in admitting that anyone could seriously believe in world-revolution in this enlightened era of man's history, for he asks: '...And who, pray, would run a Communist United States of America ? Little men in uniform from Omsk ?' (p. 144). The works of von Tobien, Wolfgang Wagner and Rühmland, although only a few of the more recent documents in this domain, are sufficient to show that the question is irrelevant and the optimism behind it completely naive. Although we qualified this book as serious journalism, the last section shows that the West's opposition to Communism can, under no circumstances, be left to the journalists.

Mr. Servan-Schreiber's *'L'URSS 28 ans après, 1931-1959'* (The USSR 28 Years Later, 1931-1959) ([15]) suffers from similar defects but from cover to cover. The author joins the long list of those who, having travelled in the Soviet Union, want to tell the world the 'real facts' on what is going on there. The observations of the author are interesting *as observations of the author* — his generalizations and conclusions are as interesting and objectively valid as 'Gulliver's Travels'. On reading the conclusion of the book, one has the distinct impression that there is a lot of sense in the popular expression according to which broadmindedness is the little brother of emptyheadedness. We there find that the Russians are very fraternal, *at least among themselves*; very egalitarian to the extent that this is possible since *it is unnatural*; revivifiers of that liberty which is disappearing in the West ([16]). Each of these affirmations goes

([15]) SERVAN-SCHREIBER, E., *L'URSS 28 ans après, 1931-1959*. Paris, Plon, 1959, 182 p.

([16]) «Les Soviétiques se réclament de notre révolution de 1789 mais ils n'appliquent pas sa devise. La leur serait plutôt: 'Autorité, Technicité, Productivité'.

Il faut pour être juste, leur laisser leur part, qui est grande, du moins entre eux, de la fraternité. Quant à l'égalité, elle reste ce qu'elle peut être: un objectif noble qui étant contre nature n'a été atteint dans aucun temps et dans aucun pays.

beyond the limits of simple observations of a visitor to the Soviet Union and, as such, requires more justification than a clever contra-position to the ideological slogans of the French Revolution. This book is better left unread.

On a completely different plane is '*Communism in American Unions*' ([17]). In an amply documented 200 pages the author discusses: The Communist Movement's Inheritance from Early Radicalism, Communist Penetration of the American Federation of Labor, Communist Infiltration of the CIO. But, it is in the last 50 pages, 'Combating Communist Domination', that Mr. Saposs shows his talent for synthesis and for drawing conclusions from the matter he has presented (what distinguished the previously reviewed pair was precisely the conclusions which fell outside of the matter presented). He here defines the factors which effectively block Communist success among American workers and their unions. Although the rank and file are difficult to arouse when the status quo seems satisfactory to them, and the labor leaders are loath to injure the prestige of their organisations by admitting that Communist infiltration exists, and management would just as soon deal with a weak 'pink' union than with an anti-Communist strong one, all these elements can be galvanized by the reaction of public opinion; and, public opinion, to be aroused, must be informed. There is thus reason for sober optimism about the ability of American labor to resist Communism.

Mr. Saposs points out the interesting fact that even though the Communists have adopted the new infiltration tactic of 'colonization' (i.e. members and fellow-travelers who maintain anonymity), the need for mass-movements makes them come to the surface from time to time. It is then that detection and exposure can foil this new technique. And, if Mr. Crankshaw still insists that his question be answered, he will find in '*Com-*

Reste la liberté. N'est-elle pas en train de renaître lentement en U.R.S.S. et de reculer progressivement ailleurs ?

La liberté est le premier des luxes, le plus apprécié surtout par ceux dont les besoins vitaux sont assurés». (pp. 179-80).

([17]) Saposs, D. J., *Communism in American Unions*. N.Y., Toronto, London, McGraw-Hill, 1959, 279 p., $ 5.

munism in American Unions' that the 'little man from Omsk' has friends inside the US who would be more than happy to run a Communist USA for him.

In '*Communism and the Theologians'* ([18]) the author Ch. West has succeeded in giving a rather informative account of the social views of Brunner, Tillich, Niebuhr,, Barth and their more prominent disciples, but beyond this there is little of interest for the student of Communism. The title is quite misleading: 'Communism' is sometimes understood as the social thought of Marx, sometimes as the aspirations of the radical socialists around the beginning of this century, and very seldom as the Marxist-Leninist phenomenon to be found in the Soviet Union today. What Mr. West means by 'theologians' is, obviously 'some protestant thinkers'. Buddhist, Catholic and Islamic theology do not appear even in the index. The book itself is organized as a series of 'encounters' with the chapters: Communism as the Enemy, Communism as Judgement and Hope, Religious Socialism: Paul Tillich, An American Encounter: Reinhold Niebuhr, Revelation and Ideology: Karl Barth, History and Politics: Barth and his Critics, Christian Encounter with Communism: a Conclusion. Apart from the confusion already inherent in the main themes of the book ('Communism' and 'theologian'), there is an irritating vagueness of general formulation even in the themes which the author poses for discussion in his introduction. Example: 'To take away this Communist good conscience about their ideology and their judgement on the Christian faith; to confront it with a witness which is not another system of ideas pretending to be objective truth and value while it in fact reflects and covers the interest of one social group, is the task of Christian theology here'. (p. 23) Not being too sure of the author's meaning, it seems at least clear that he has understood little about Communism. Even more annoying is the following: 'So we must ask the theologians: (i) How effectively do their doctrines of history understand the revolutionary ferment of our time, to the expression and leadership of which

([18]). West, Ch., *Communism and the Theologians. Study of an Encounter.* London, SCM., 1958, 399 p., 35 sh.

Marx gave his life, and the Christian's place in it ? How free is the theologian's mind and life from values and social forms which reflect his own cultural backgrond and interest, eternalized in his theology itself ? How clearly can he place himself vicariously in the proletarian situation ?' (p. 23). A theologian's doctrine of history must be quite some animal ! And, it seems as if the author could dispense with such Communist 'propagandialectical' expressions as 'revolutionary ferment' and 'proletarian situation' — closer analysis shows that all he means by the first is that some people are unsatisfied with the way things are going and by the second that there are some people who work (and/or have children if one would maintain the original sense of proletariat). This book, then, can be highly recommended for those seeking to deepen their understanding of current protestant social doctrines but its fundamentally inaccurate presentation of the other side of the story renders it useless for the student of Soviet phenomena and possibly harmful for a general public who might accept this misrepresentation of the ideology behind the power-politics of contemporary World-Communism as valid.

Among the basic texts for the correction of a perspective like that of Mr. West is Henri Chambre's '*De Karl Marx à Mao Tsé-Tung*' (From Karl Marx to Mao Tse-Tung) ([19]). In an effort to locate Communism's attraction for the French intellectual and to help outline the Christian possibilities of answering the same questions which Communism pretends to answer, the author traces the principal concepts of Marxism (atheism, alienation, plus-value, class-struggle, imperialism, revolution, liberation, materialist dialectic, humanism) from an ambiguous and insufficiently analyzed origin in Marx and Engels, through the practico-political version of Lenin, to Mao's unsuccessful efforts to patch up the glaring contradictions which appeared in the Soviet Union under Stalin (p. 329). Concluding to the impossibility of a Christian Marxism for the very good reason that for Marxism it is essential that the religious depend on the economic, H. Chambre then fails to carry throught in providing the

([19]) CHAMBRE, H., *De Karl Marx à Mao Tsé-Tung*. Paris, Spes, 1959, 338 p.

outline of a Christian answer. His 'living testimony' might well form the subject of a further work. It here remains much too nebulous. Nevertheless, this book renders the not unappreciable service of showing the great extent to which Marxism-Leninism is not Marxism.

To judge by the editor's preface to S. Müller-Markus' book '*Einstein und die Sowjetphilosophie*' (Einstein and Soviet Philosophy) ([20]), the series 'Sovietica Monographs' ([21]) of the Institute of East-European Studies of the University of Fribourg (Switzerland) will be as interesting as its companion series, 'Sovietica Publications' ([22]), and aimed at a wider reading public. This first volume not only defines the position of Soviet philosophers and scientists on questions evoked by the theory of relativity but also gives the reader the basic notions necessary for the understanding both of Soviet philosophy and of the fundamental concepts of the theory of relativity. The four chapters of the first section ('Fundamentals') present: Theses of Diamat, Definitions and Propositions of the Theory of Relativity, Sketch of the Discussion, The Theory of Relativity and Knowledge. The second section deals with various aspects of the special theory of relativity. Having provided the reader with the necessary background, the author then traces the history of the theory of relativity in Soviet Russia. He provides an explanation of the radical rejection of this theory by the Party philosophers

([20]) Müller-Markus, S., *Einstein und die Sowjetphilosophie. Krisis einer Lehre. I.* (Sovietica Abhandlungen 1). Dordrecht, Reidel, 1960, 453 S.

([21]) Forthcoming are: *Studies in Soviet Thought,* a collection of English résumés of the research projects, including that of Prof. Müller-Markus; *Soviet Scholasticism, On method in Soviet philosophy*; *Marxismus-Leninismus in der CSR* (Marxism-Leninism in Czechoslovakia); *Philosophy and Ideology* (on philosophy and Marxism-Leninism in Poland 1918-1958); and the second volume of *Einstein und die Sowjetphilosophie.*

([22]) Includes: *Bibliographie der sowjetischen Philosophie. 1947-1958.* (Bibliography of Soviet Philosophy. 1947-1958). Dordrecht, Reidel, 1959, 2 vols. Bochenski, J. M., *Die dogmatischen Grundlagen der sowjetischen Philosophie. Stand 1958.* (The Dogmatic Bases of Soviet Philosophy. As of 1958). Dordrecht, Reidel, 1959, 84 S.; Lobkowicz, N., *Das Widerspruchsprinzip in der neueren sowjetischen Philosophie.* (The Principle of Contradiction in Recent Soviet Philosophy). Dordrecht, Reidel, 1960, 90 S.

in 1950 and their equally radical recognition of it in 1955. It is the author's contention, and the second volume should prove conclusive on this point, that the conflict which raged around the theory of relativity has had a decisive influence on the nature of Diamat itself and on the quality of philosophic discussion in the Soviet Union. In any case, Prof. Müller-Markus provides, in this first volume, a well-written and excellently documented account of one of the major problems which Soviet philosophy has had to face in the last fifteen years. A must.

Basic Communist Texts

The immensity of the volume of Soviet literature on political, sociological, economic and jurisprudential questions is in inverse proportion to the originality of the content. For the most part, the point of view established in the texts which we will mention here is repeated, with embellishments but without serious modifications, by all of the Party theoreticians. As to the choice of books, the '*Kommunist*', which carries the subtitle, 'Theoretical and Political Journal of the Central Committee of the Communist Party of the Soviet Union', has this to say:

> 'The party organizations are urged to take more care that every Communist, year in and year out, systematically and purposefully improves his ideologico-political preparedness and that he has a solid mastery of Marxist-Leninist theory as an integral doctrine.
>
> The practical activity of party organizations suggests that the following forms of political studies are expedient for 1959/60:
>
> - for Communists and non-members, who do not have a minimum of political knowledge and who lack an all-round preparation, political schooling (based on 'Fundamentals of Political Knowledge', soon to appear in a revised edition);
> - study-circles and seminars on the history of the CPSU (based on the recent textbook, 'History of the Communist Party of the Soviet Union');

- study circles and seminars on the fundamentals of Marxism-Leninism (using 'Fundamentals of Marxism-Leninism');
- seminars and study-circles on Marxist-Leninist philosophy (based on 'Fundamentals of Marxist Philosophy', revised and supplemented), on political economy (using the textbook, 'Political Economy', and popular works on the same subject),... ([23]).

The *'Osnovy politiceskix znanij'* (Fundamentals of Political Knowledge) ([24]) contains, as the twelve authors put it in the introduction, 'the minimum of political knowledge necessary for the Communist and for every Soviet man in order that he better understand the politics of our party and be able to consciously and succesfully implement it'. (p. 5). It is worthwhile to list the titles of the chapters, which repeat all the major themes of Communist political propaganda: What One Must Know About the Development of Society; The Bolshevik Party — Organizer of the Victory of October; The Construction of Socialism in the USSR; Soviet Socialist Society; The Socialist Government of the Workers and Peasants; The Communist Party — Leader of the Soviet People; The Period of Large-Scale Construction of Communism; Communist Education of the Workers; The Socialist World-System; Competition of the Two World-Systems; Toward Peace, Freedom of the Peoples and Socialism. The book is clearly and simply written, with résumés at the end of each chapter, and centers its attention on the seven-year plan and peaceful co-existence. The introduction of this latter has attenuated the aggressivity of the terminology, depriving the book of the little attraction which the former, 'cold-war', editions exercised.

The 'de-Stalinized' version of the *'Istorija Kommunisticeskoj partii Sovetskogo Sojuza'* (History of the Communist Party of the Soviet Union) ([25]) differs from the Stalinist edition in that

([23]) *Kommunist* 1959, n° 12, pp. 13/14.

([24]) *Osnovy politiceskix znanij. Ucebnoe posobie dlja politiskol i samoobrazovanija.* Moskva, Gospolizdat, 1959, 503 str. (ed. 3, revised and supplemented).

([25]) *Istorija Kommunisticeskoj partii Sovetskogo Sojuza.* Moskva, Gospolizdat, 1959, 742 str.

Stalin's excursion into 'Dialectical and Historical Materialism' has been omitted and no section deals with ideology (rumor has it that Khrushchev wrote one that was so bad that everyone agreed to forget about it), main emphasis is on the seven-year plan and peaceful coexistence, and the section on the October Revolution (pp. 196-274) has a meagre 78 pages compared to 100 pages on the 'Khrushchev era' (pp. 617-717). In line with general Soviet printing policy, there is neither subject nor name index.

An innovation as to form but repetition as to content, the '*Osnovy marksizma-leninizma*' (Fundamentals of Marxism-Leninism) ([26]) is the work of a collective of 39 authors. The first two sections, 'The Philosophic Bases of the Marxist-Leninist World-Outlook' (pp. 13-117) and 'The Materialist Conception of History' (pp.118-215), correspond rather closely to the two main sections of 'Fundamentals of Marxist Philosophy' which we will treat next. Section Three, 'The Political Economy of Capitalism' (pp. 216-309), defines 'pre-monopolistic capitalism' according to Marx and Engels, 'Imperialism as Highest and Last Stage of Capitalism' according to Lenin, and 'Imperialism Today' according to Lenin and Khrushchev. The fourth section (pp. 310-534) deals with the 'Theory and Tactics of the International Communist Movement' with, of course, no consideration of the expansionist practice. The glories of the October Revolution and the Communist Party of the Soviet Union are celebrated as in the previous book and a great amount of attention is given to Soviet promises to colonial or semi-colonial countries. The fifth and final section, 'Doctrine on Socialism and Communism' (pp. 535-753), is a catch-all of the questions (read, themes of propaganda) which could not be put in the other four sections. Again, this 800-page encyclopedic handbook of Communist theory contains no trace of an index.

That the '*Osnovy marksistskoj filosofii*' (Fundamentals of Marxist Philosophy) ([27]) is some sort of landmark is evident from the fact that it is the first systematic presentation of Marxist-

([26]) *Osnovy marksizma-leninizma. Ucebnoe posobie.* Moskva, Gospolizdat, 1959, 773 str.

([27]) *Osnovy markisistskoj filosofii.* Moskva, Gospolizdat, 1958, 687 str.

Leninist philosophy since Stalin's chapter in the previous history of the Party. The innovations are few and seem to indicate no fundamental change in the Party ideological line. Among the more noticeable and eventually significant modifications are: that matter is treated before the dialectic whereas, for Stalin, the inverse was true; that there are three laws of the dialectic — those of Engels — to replace the four presented by Stalin; and, that the presentation of 'social being is to social consciousness as being is to consciousness' (the fundamental principle of Historical Materialism) is not presented as a simply mechanical application of Dialectical Materialism to social phenomena. Most significant, of course, about this book is the fact that 1,000,000 copies of it were published.

According to '*Politiceskaja ekonomija*' (Political Economy) ([28]) the object of this science is '... the development of the socio-productional, i.e. economic, relations of people. It explains the laws which govern production and the distribution of material wealth in human society at various stages of its development.' (p. 13). The book, therefore, treats successively of the capitalist means of production, a) pre-monopolistic and b) imperialistic, and of the socialist means of production, a) in the transition from capitalism to socialism and b) in the socialist system of national economy. Strange to note is the fact that 'The Gradual Transition from Socialism to Communism' (pp. 648-677) is only a chapter whereas, to follow the usual Communist mode of presentation, one would expect it to form an independent section in the second half. The content of the book reduces to the standard treatise on Historical Materialism plus a few of Marx' economic concepts.

The '*Kratkij ekonomceskij slovar*' (The Short Economic Dictionary) ([29]) is for the Soviet economist what the 'Short Philosophic Dictionary' ([30]) is for the Soviet philosopher, viz. the guide to what quotations to use when and how the established dogma-

([28]) *Politiceskaja ekonomija. Ucebnik.* Moskva, Gospolizdat, 1959, 707 str. (ed. 3, revised and supplemented).

([29]) *Kratkij ekonomiceskij slovar'.* Moskva, Gospolizdat, 1958, 391 str.

([30]) *Kratkij filosofskij slovar'.* Moskva, Gospolizdat, 1954, 704 str. (ed. 4, revised and supplemented).

ta are to be formulated. The cooperation of seventy authors ensures that this book of less than 400 pages remains orthodox in defining such basic terms as: auctions, outsiders, bourgeois classical political economy, etc.

Among the numerous 'anti-revisionist' works ([31]) the '*Kritika sovremennyx burzuaznyx revizionistskix ekonomiceskix teorij*' (Critique of Contemporary Bourgeois Revisionist Theories of Economy) ([32]) can take a place of honor. Some forty authors have conspired in over 500 pages of ignoring the facts and presenting contemporary economic reality after what the 'classics of Marxism-Leninism' said it should be in order to then be able to use the arguments of these same 'classics' against it. The targets of this very profound sort of criticism include: 'neoliberalism' as a masked apologetic of monopolistic capitalism; the 'second industrial revolution' as a propaganda move of the social-democrats; the 'theory of assimilation' as the ideological foundation of French colonialist politics in Algeria; 'economic democracy' as the fallacy of right-wing socialism; and, 'national Communism' as a deadly perversion of 'proletarian internationalism'. The last section, 'Bourgeois Perversions of the History of Russian Economic Thought' (pp. 568-586), contains, along with other items, a virulent diatribe against 'Continuity and Changes in Russian and Soviet Thought' ([33]), which is interesting as an example of rampant Great Russian nationalism.

([31]) In 1958 alone there where four books, totaling 1004 pages, entitled *Protiv sovremennogo revizionizma* (Against Contemporary Revisionism). See *Bibliographie der sowjetischen Philosophie* 2012-2015; and, *Revizionizm-glavnaja opasnost'. Iz opyta bor'by kommunisticeskix i rabocix partij protiv revizionizma.* Moskva, Gospolizdat, 1958, 467 str. (Revisionism — the Big Danger. From the experience of the Communist and workers' parties against revisionism).

([32]) *Kritika sovremennyx burzuaznyx revizionistskix ekonomiceskix teorij.* Moskva, Socekgiz, 1960, 588 str.

([33]) *Continuity and Changes in Russian and Soviet Thought.* Edited with an introduction by Simmons, E. J., Cambridge (Mass.), Harvard U.P., 1955, 563 p.

Book Reviews

World List of Social Science Periodicals, Paris, Unesco, 2d edition, revised and enlarged, 1957, in-16, 210 p., $ 3,75 N. FF.

This volume occupies a special position among the numerous reference books put out by Unesco. Firstly, because of the great number of periodicals which it mentions, and then for the extensive and exact information given on each of them.

Naturally, it is always possible to mention titles of periodicals which are not to be found in the list. In such cases, however, we may be sure that the publications in question began to appear after 1957, or have not been listed because they made no claim to be scientific. It is very rare that one notes the absence from the list of a periodical which should have been included beyond all doubt.

In order that the work shall be as useful as possible, a list is first given of reviews classed according to the countries in which they are published. Then comes an enumeration of the scientific institution which put them out. After this there is a systematic index of the subjects dealt with in the periodicals and, finally, a short index of the various branches of study to which the periodicals quoted refer. It may be said that, in this way, maximum utility of the catalogue is ensured.

L. Lauwers

Bilan du Monde, Encyclopédie Catholique du Monde Chrétien. Tome II, *Les Pays*. Tournai-Paris, Casterman, 1960, 832 p., 330 FB.

The appearance of Volume II of *Bilan du Monde*, which has been looked forward to for months, is an event in the publishing world. The ambition of this encyclopaedia is to spread knowledge of the Catholic Church as revealed in its multiple activities in a world of men «situated» in various ways, both on the geographical and historical plane. Volume I contained the first two panels of the triptych, the Universe and the Geographical Groups. This third volume dealing with the third panel, Countries, is twice the size of the preceding ones. The 189 countries and territories listed by UNO are dealt with in turn and a very simple layout

has been adopted for each one of them: (1) Social and Cultural Status, (a) Geography, (b) History; (c) Political Institutions; (d) Demography; (e) Economic and Social Life; (f) Education and Culture; (g) Religions; (2) The Catholic Church, (a) History; (b) Present Situation; (c) Religious, Social and Cultural action; (d) Attitude of the Church to questions of the day; (e) Religious Statistics.

It should be mentioned that *Bilan du Monde* is edited under the direction of the «Eglise Vivante» Centre, Louvain, and the Centre de Recherches Socio-Religieuses de Bruxelles, with the help of a brillant international team of specialists.

Finally, the reader is asked for comments and criticism. This is indeed international co-operation in a real form ! In this second half of the 20th century, every human being is called upon to engage in better informed international action. *Bilan du Monde* comes at the right time to help him to obtain a precise, detailed and concrete vision of our world.

A. Verdoodt

HÖRMAN, Karl, *Handbuch der Christlichen Moral.* Innsbruck, Tyrolia-Verlag, 1958, 14 × 21, 374 p.

As indicated clearly in the preface, this book is intended principally for laymen in German-speaking countries (p. 5). This explains certain particular features of a work which, although very concise, is extremely clear in content. It touches on all problems in relation to morals but is obliged, for lack of space, to abstain from any elaboration. A solution is given for all problems, but often without any argumentation.

The bibliography is very extensive, thorough and up-to-date but almost exclusively confined to German works.

The result is that certain subjects are not treated with all the attention they merit. Among these are, for instance, moral obligation (pp. 51-52), sin (pp. 168-169), the State (pp. 294-296). But this was almost inevitable in view of the aim which the work set itself.

It is all the more to be appreciated that the author has succeeded in giving in a few pages various exposés of magistral value, such as those on the law (pp. 72-104), responsibility (pp. 155-160) and the family (pp. 267-293).

As is the case, however, with most manuals, we may ask whether the author has always chosen the suitable place to deal with certain subjects. It seems, indeed, somewhat surprising that he should devote only one page to the profession, at the end of the chapter on the

moral flowering of the personality (p. 266) and that he says nothing about the occupational community in the immediately following third part entitled 'Man and the Community'.

Thus, in the first section of the second part, dealing with 'Man face to God' (Chapter I), Faith is first dealt with (Chap. I), then Hope (Chap. II), then Baptism (Chap. III) followed by Charity (Chap. IV) after which comes Confirmation (Chap. V). This distribution may lead to confusion or at least to a lack of clarity (pp. 188-211). However, it will be understood that the author can defend his point of view and that he has his good reasons for arranging his material in the way chosen.

L. Lauwers

NIEBUHR, Reinhold, *The Godly and the Ungodly, Essays on the Religious and Secular Dimensions of Modern Life.* London, Faber and Faber Limited, 1958, 150 p., 21 sh.

A book which one puts down with two feelings: regret at having finished it, and genuine gratitude for all that it teaches. Reading Niebuhr is pure delight: a supple and striking style, lapidary phrases which impress profound truths on the mind in clear and concrete fashion. The author is a very personal thinker and thus dares to say pretty hard things irrespective of persons if he thinks that what he is expressing is the truth. Thus he uses no kid gloves when expressing his opinion on American culture (pp. 36-38) on F. D. Roosevelt (p. 53), on the U.S.S.R. (p. 58), on brotherly love among Chritians (p. 144). He naturally could not expect that everyone would be in agreement with such particular conceptions. Let us quote some of these: (1) the universality of the Jewish people (pp. 107-112). Here, Niebuhr forgets that the Jews were, in principle, particularists and had to be so, in as much as they regarded themselves as the chosen people, (2). the liberal and individualist conceptions of every community, even the family and the State. He goes so far as to say that 'in short, they tend to be idolatrous and to usurp the place of the divine' (3), the rejection of all metaphysics (pp. 133-134).

But all this is of small moment in contrast to the many excellent ideas here offered us. Thus, the author ends his chapter on Russia and America by an appeal to Christian charity. Our judgments are a compound of truth and error. Let us not believe that we are entirely immersed in truth while the others are plunged into darkness (p. 60). Fortunately there are still people who dare openly to defend the Rights of Man even if in so doing they inflict a blame on them-

selves. The sixth chapter of the book, entitled 'Justice to the American Negro from State, Community and Church' (pp. 78-85) says clearly what is demanded by natural law on this point, however, disagreeable it may sound to the ears of certain Americans.

L. Lauwers

KOESSLER, Paul, *Christentum und Technik* (Der Christ in der Welt, R. 13, Bd. 4), Aschaffenburg, Pattlock, 1959, 114 p.

This short work is a volume of the remarkable series of studies published by Father J. Hirschmann, S.J. The collection, which is a joint effort of German and French specialists, aims at determining the Christian attitude to the chief problems of the present day.

In this way, when the place of the Christian in a world of techniques was to be studied, an engineer, who is also a professor in one of the oldest German occupational schools was called upon.

Basing himself largely on the lay theologian, F. Dessauer, the author first defends the thesis of the continuity between present techniques and the age-old use of tools, which is in itself a good thing. Its value is only perturbed by the bad uses it can be put to.

On the second part, the author shows that the headlong development of material progress at present demands greater self-control because of its consequences. But sin, if it does not abolish God's command to bring the earth under the control of Man, makes it more difficult to carry out. Hence the absolute necessity of asceticism and preaching closely related to technical realities, which are only too rare.

The author concludes that contemplation is, in itself, of greater value than external action, which is often no more than vain agitation. But, according to Saint Thomas Aquinas, it is the 'mixed life' in which contemplation and action are associated which has supereminent value. It is such a life that the present day Christian should strive to achieve.

A. Verdoodt

QUINLAN, M., *Guide for Living*. An Approved Selection of Letters and Addresses of His Holiness Pope Pius XII. London, Pan Books, 219 p.

Pope Pius XII endeavoured to give an answer to every question raised by events. This volume contains a selection of his most instructive speeches and messages arranged according to subjects.

The first part deals with family life: conjugal relationships, painless childbirth, education, and so on.

The problems of war and peace are taken up in the second part, which contains, among other things, the famous letters to Russia and China.

The third part illustrates Pius XII's teaching on science and techniques, automation and the exploration of outer space.

After this, there is a series of letters to laymen, concerned above all with professional life, and the book ends with a summary of the Pope's thought under the title: 'The Road to Christ'.

It should be noted that each series of texts is preceded by a short introduction which situates it in its historical setting. This makes it easier to distinguish between those which state a new immutable principles and those whose interest is purely documentary.

It is to be hoped that this book will obtain the wide circulation it deserves.

A. Verdoodt

Enkele Aspecten van de Europese Economische Integratie. Reprint from *De Economist.* Haarlem, De Erven F. Bohn, 1957, 180 p.

This is a collection of articles written towards the middle of 1956 and constituting a critical survey, from a Dutch standpoint, of the 'Report of heads of delegations to the Ministers of Foreign Affairs', or *Spaak Report,* as it is more commonly termed - Mr Spaak being the president of the inter-governmental committee set up at the Messina Conference.

Since then, the Rome Treaty has been formulated and adopted. That is to say, it had time to pick and choose among the amendments proposed by the Dutch writers. And now the European Economic Community and the Euratom have begun to try out the solutions proposed. Some of the authors of this work have in the meantime become officials of these bodies. And finally, the Free Trade Area has come into being, creating its own set of problems.

Although somewhat dated, these articles, which originally appeared in the Dutch review *De Economist* are still of interest. They enable us to understand the policies underlying the Rome Treaty and throw light on the ground covered since then, showing up some of the obstacles still to be circumvented.

The article on the creation of a common tariff, for 'The Six' of the Common Market, for imports and exports, is worthy of special men-

tion. It is of particular interest because of alluding to the national selfsufficiency that might arise as a consequence, if it did not at least produce a lowering of existing tariffs, which would mean another step forward in freeing exchanges.

Two articles on the monetary aspect of economic integration stress, on all-but parallel lines, the need for a coordination of policies, if the disequilibrium of one country is not to be a danger to the other five.

The articles on the maintenance of wholesome competition and on bringing social legislations into harmony will interest all who are concerned with the creation of a world-wide common market.

These articles are valuable in demonstrating that economic integration does not automatically increase the standard of living, but only constitutes a potential which needs careful handling.

A. Verdoodt

BUYSSE, J., WIT, Hein M.A.C. DE - *Enige vormen van Internationale Samenwerking welke voor West-Europa van Belang zijn,* Haarlem, De Erven F. Bohn, 1959, 22×14, 83 p., *f* 2.

This little book really fills a gap. It is too often assumed that we all know all about the main international organizations of the West, understanding what they do, who composes them, and how they function. Yet it is scarcely surprising that in fact many people know so little, when in a country like Holland, for instance, no clear and precise account of them has appeared till now.

The authors stress the difference between inter-governmental and supra-governmental organizations: the latter are those involving the transference of a portion of the sovereignty of the States composing them.

The inter-governmental organizations of a political nature described here are: the United Nations, and the Council of Europe. Under the heading of economic rapprochement we have: Benelux, the European Economic Community, and the Free Trade Area. Military collaboration is assured by the Western European Union and the North Atlantic Treaty Organization.

The supra-national bodies are the European Coal and Steel Community and the European Atomic Energy Community, known as Euratom, grouping only six countries but accepting associates.

We owe the authors a debt of gratitude for their work in collating and summarizing this useful information.

A. Verdoodt

HOLZSCHUH, Karl, *Ervaringen van een Kinderrechter.* (Experiences of a Children's Magistrate). Vert. uit het Duits door M. L. P. Tissen. (Prisma-boeken) Utrecht, het Spectrum, 1959, 186 p.

Dr Holzschuh is a children's magistrate endowed with extraordinary psychological insight. The publication of this book, describing the experience he gained in the exercise of his office, comes to fill a real gap in the literature of European jurisprudence.

It is thanks to his efforts that Germany possesses, before any other country, a penal code for children that is at once progressive and humane. His method is, to try out his theories in practice, and then to translate them into systematic laws.

His purpose in writing this small work is to propagate the fundamental ideas underlying the new German penal code for children. As a piece of popular literature it is as readable as it is informative. The leading ideas are as follows: a proper understanding of the child's nature and an appropriate punishment, often in the shape of a job to be done, or a good deed to perform.

His narrative style is delightful, whether he is entertaining us with accounts of the young delinquents he has come across, or endeavouring to obtain public support for his splendid ideas, including of course the support of those specifically engaged in looking after children of tainted parentage.

M. J. Hendrickx

WARD, Barbara, *The Interplay of East and West.* Points of Conflict and Co-operation. N. Y., Norton, 1957, 152 p., $ 3.50. Trsl. in Dutch. *Wisselwerking tussen Oost en West.* The Hague, Boekencentrum, 1959, 120 p., 7.50 *f.*

This consists of three lectures on relations between East and West given at McGill University, Montreal, under the auspices of the Sir Edmond Beatty Memorial Lectures.

The book is important, since it contains a plea in favour of necessary closer collaboration between the West and the rest of the world.

If this collaboration is to come about, it is above all important to bring more order into the relationships between the great regions of civilization. This is impossible without intellectual contacts from people to people. In our present-day world, which is undergoing enormous transformations of a dynamic character, the only chance of survival depends on the West, which must renounce all aggressiveness and be prepared to fulfil its task.

Barbara Ward develops these themes in an original manner. She makes use of historical arguments in an attempt to show that, in the final analysis, East and West are indebted to each other. In the course of the last four centuries, the West has destroyed the old order throughout the entire world. Its conceptions have acted like a 'destructive hurricane'. The time is long past when civilizations met on a footing of equality. Now, Western supremacy is in its turn a bygone thing. Political relations between East and West are at present determined by nationalist factors. But this 'aberrant development' was set in motion by the West. However, the world has today become so small that any international ordering of social and political affairs must transcend all the sovereign States if we wish to escape the total destruction of atomic war. This is why there is urgent need for a world government, capable of intervening adequately to stave off universal cataclysm. Thus we have now only one means available: international co-operation.

Thus far, there can be no disagreement with Barbara Ward's thought. But what have we to hand to give some body to the idea of an international order? Is it the fear of a mushroom shaped cloud, the author rightly asks. In other words, what reply can Western society give to the question 'Is there any explanation of Man and his situation?' The reply is, of necessity, less clear. However, the author considers that religious faith can contribute to the working out of an international world order. But does man still believe in a divine order behind reality? Barbara Ward here indicates the striking similarities between the great world religions which, in a way, guide us towards a universally acceptable 'philosophia perennis'.

The arguments of Barbara Ward awaken profound reflexions. Present world problems have rarely been evoked with such persuasive force, clarity and, also, simplicity. Opinions may differ on certain statements, in particular when it is claimed that, before the sixteenth century, the world civilizations entered into contact with each other on a footing of equality. We are rather of the opinion that in olden times contacts between civilizations were of a sporadic

character. To our mind this is confirmed by study of the old international communities which in the course of time developed, then stagnated, and finally perished.

The ideas of the author on international economic and demographic problems might also be contested. They are of Anglo-Saxon origin, but nevertheless bear witness to acute perception of the requirements of our age.

Finally, one might ask to what extent the acceptance of a 'philosophia perennis' can contribute to the solution of the extremely complex problems which confront humanity in a world divided between the East and the West.

V. A. Werck

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